

Franet National contribution to the Fundamental Rights Report 2020

Bulgaria

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Franet country study: policy and legal highlights 2019

Issues in the fundamental rights institutional landscape	New institutional framework for monitoring the CPRD: The new Persons with Disabilities Act laid down the rules and procedure for setting up a Council for Oversight responsible for monitoring the implementation of the CRPD. The new body, comprising nine members with a four-year mandate (two nominated by the equality body, two by the Ombudsman, four by organisations of and for persons with disabilities, and one by Bulgarian Academy of Sciences) had its first meeting on 8 July 2019.
EU Charter of Fundamental Rights	Ruling on nature of the Charter as legal act: In an admissibility ruling on a motion, concerning new data protection provisions , the Bulgarian Constitutional Court ruled that, although it has the same legal value as the Treaties, the Charter is not an international treaty within the sense of international law and the Court cannot rule on the consistency of legal provisions with it.
Equality and non-discrimination	New policy framework for older persons: On 15 March 2019, the government adopted a National Strategy for Active Life of Older Persons in Bulgaria 2019-2030 . The strategy's objective is to 'create conditions for active and dignified life of the elderly by ensuring equal opportunities for their full participation in the economic and social life of society'. The four priority areas of active ageing include participation in employment, participation in social life, independent living and creation of favourable environment for active ageing.
Racism, xenophobia & Roma integration	Monitoring of progress on promoting Roma integration: The progress on promoting Roma integration is being reviewed through an online system for monitoring, assessment, and control which uses the indicators defined in the National Strategy of the Republic of Bulgaria for Roma Integration 2012-2020. The main policy developments reported with regard to Roma integration refer to educational integration, access to employment, and healthcare provision.
Asylum & migration	New legislation on unaccompanied children: On 12 April 2019, the parliament adopted amendments to the Foreigners in the Republic Bulgaria Act to regulate, for the first time, the situation of unaccompanied children, who have not applied for or have been denied international protection. The new rules enable the authorities to grant extended residence permit to such children, which is valid until they reach the age of majority (18 years).
Data protection and digital society	New policy developments with regard to artificial intelligence and big data: In 2019, a draft 'Framework for a National Strategy for the Development of Artificial Intelligence in Bulgaria' was presented for consideration to the government and the development of a Big Data Centre of Excellence was publicly announced. Other legal and policy developments concern the upgrading of e-government systems, including access to public data sets in different sectors
Rights of the child	Draft National Strategy for the Child 2019-2030: although listing a number of measures in all areas of children's well-being, including juvenile justice and internet safety, the draft National Strategy for the Child 2019-2030 has still not been adopted and has caused a heated public debate with accusations of 'undermining traditional Bulgarian values'.
Access to justice, including victims of crime	A legislative package to criminalise domestic violence and give additional rights to victims: By a much awaited legislative package , amendments were adopted to the Criminal Code and the Criminal Procedure Code to define domestic violence and proclaim it an aggravating circumstance for a number of crimes, criminalise stalking and take a step towards ex officio penalisation of all medium bodily injuries between relatives and spouses. Procedure-wise, the amendments provided for informing a victim with special protection needs if the suspect/accused is released or escapes from detention in custody or prison.
Convention on the Rights of Persons with Disability	New legislation on persons with disabilities: The main legal and policy developments with regard to the national implementation of the Convention on the Rights of Persons with Disabilities concern the entry into force and implementation of Two new legal acts on persons with disabilities entered into force in the beginning of 2019: the Persons with Disabilities Act and the Personal Assistance Act .

Chapter 1. Equality and non-discrimination

1. Legal and policy developments in 2019 relevant to combating discrimination based on gender identity, religion or belief, disability, age or sexual orientation

In July 2019, the Supreme Administrative Court (SAC) (*Върховен административен съд*, ВАС) issued a decision for the recognition of a same-sex marriage in another Member State for the purpose of the couple's free movement.¹ In the absence of any regulation of the consequences of a same-sex marriage, registered partnership or cohabitation, the decision is the first one in Bulgaria explicitly recognising the legal effect of a same-sex marriage. LGBT organisations assessed the decision as an important step toward the equal treatment of homosexual couples in Bulgaria.²

In March 2019, the government adopted a National Strategy for Active Life of Older Persons in Bulgaria 2019-2030 (*Национална стратегия за активен живот на възрастните хора в България 2019-2030 г.*). The strategy's objective is to 'create conditions for active and dignified life of the elderly by ensuring equal opportunities for their full participation in the economic and social life of society'. The document defines for priority areas of active ageing: participation in employment, participation in social life, independent living and creation of favourable environment for active ageing at national and regional level.³

In September 2019, two draft laws aimed at improving the situation of older persons were submitted to parliament. The Draft Older Persons Act (*Законопроект за възрастните хора*) stipulates that the state should safeguard the rights of older persons (defined as persons above the age of 60) and create an economic, social and institutional environment that prevents social exclusion and improves the access of older persons to public resources. The draft includes provisions on the policy and institutional framework for older persons and defines the different forms of support that should be available to such persons.⁴ The Draft Protection of the Rights and Interests of Older Persons Act (*Законопроект за защита на правата и интересите на възрастните хора*) has a similar objective and scope but, in addition to the policy and institutional framework, it also provides a list of rights of older persons (defined as persons above the age of 65).⁵

In March 2019, the parliament adopted the Social Services Act (*Закон за социалните услуги*), which seeks to ensure equal access to social services that are consistent with the needs of beneficiaries, including persons with disabilities.⁶ There is an explicit provision forbidding direct and indirect discrimination in the provision of social services on any of the grounds listed in Bulgarian laws or binding international treaties. The Act broadens the scope of potential beneficiaries of social services

¹ Bulgaria, Supreme Administrative Court (*Върховен административен съд*), Decision No 11351 on administrative case No 11558/2018 (*Решение № 11351 по административно дело № 11558/2018 г.*), 24 July 2019, www.sac.government.bg/court22.nsf/d038edcf49190344c2256b7600367606/6d39ed781f2f38dfc2258417003e30c7?OpenDocument.

² Youth LGBT Organisation "Deystvie" (*Младежка ЛГБТ организация „Действие“*), 'The Supreme Administrative Court ruled in favour of same-sex families in Bulgaria' (*Върховен административен съд реши в полза на еднополовите семейства в България*), press release, 24 July 2019, <http://deystvie.org/news-bg/deystvie-legal-program-kristina-maryama/>.

³ Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Active Life of Older Persons in Bulgaria 2019-2030 (*Национална стратегия за активен живот на възрастните хора в България 2019-2030 г.*), 15 March 2019, www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=1264.

⁴ Bulgaria, National Assembly (*Народно събрание*), Draft Older Persons Act (*Законопроект за възрастните хора*), 18 September 2019, <http://parliament.bg/bg/bills/ID/157158/>.

⁵ Bulgaria, National Assembly (*Народно събрание*), Draft Protection of the Rights and Interests of Older Persons Act (*Законопроект за защита на правата и интересите на възрастните хора*), 5 September 2019, <http://parliament.bg/bg/bills/ID/157139/>.

⁶ Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, www.lex.bg/bg/laws/ldoc/2137191914.

proclaiming that every person in need of support for preventing and/or overcoming social exclusion, exercising their rights or improving the quality of their life has the right to social services, irrespective of their age, health condition, education, income, social and economic status.⁷ Further on, the Act provides a more precise definition of the individual needs assessment defining it as a ‘professional examination of the life situation and psycho-social condition of the person aimed at determining their emotional and social needs as well as their needs of development and realisation’.⁸ The more precise differentiation between the various categories of social services (including the differentiation between preventive, supportive and restorative services and the one between generally accessible and specialised services), the more detailed rules on private service providers and the setting up of an executive agency for monitoring the quality of social services are some of the new solutions that are expected to improve both the accessibility and the quality of social services. The Act was originally scheduled to enter into force on 1 January 2020, but the parliament postponed this date to 1 July 2020.⁹ The postponement was justified by the need to further discuss some of the provisions with the relevant stakeholders.

The Bulgarian Helsinki Committee (BHC) (*Български хелзинкски комитет*, БХК) also published a handbook on anti-discrimination law aimed at raising the public awareness of the different forms and manifestations of discrimination and the available legal mechanisms for legal protection.¹⁰

2. Research findings, studies or surveys on either experiences of discrimination or rights awareness

The Commission for Protection against Discrimination (CPD) (*Комисия за защита от дискриминация*, КЗД) published its annual activity report for 2018, which includes information on the number and type of complaints received by the equality body. According to the report, the majority of discrimination cases launched in 2018 were on the grounds of disability (459 cases), followed by those on the grounds of personal status (180 cases), social status (57 cases), age (51 cases), ethnic background (28 cases), economic status (23 cases), education (21 cases), belief (20 cases) and sex (19 cases).¹¹

In its annual activity report, the Ombudsman concludes that the measures for preventing discrimination and its negative consequences are not sufficiently effective. For 2018, the Ombudsman reported 24 received complaints about discrimination, mostly from persons with disabilities, older persons and persons from minority groups.¹²

In the framework of a project for launching a Diversity Charter in Bulgaria, the Center for the Study of Democracy (CSD) (*Център за изследване на демокрацията*, ЦИД) and the Bulgarian Business Leaders Forum (BBLF) (*Български форум на бизнес лидерите*, БФБЛ) published two studies on diversity management in Bulgaria. The first one gives an overview of the regulatory, policy and

⁷ Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, Art. 7, www.lex.bg/bg/laws/ldoc/2137191914.

⁸ Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, Art. 6, www.lex.bg/bg/laws/ldoc/2137191914.

⁹ Bulgaria, Amendment to the Social Services Act (*Закон за изменение на Закона за социалните услуги*), 27 December 2019, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=144195>.

¹⁰ Dimitrov, B. and Stoyanov, R. (2019), *Handbook on Anti-discrimination Law (Наръчник по антидискриминационно право)*, Sofia, Bulgarian Helsinki Committee, www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf.

¹¹ Bulgaria, Commission for Protection against Discrimination (*Комисия за защита от дискриминация*) (2019), *Annual Report for 2018 (Годишен отчет за 2018 г.)*, Sofia, Commission for Protection against Discrimination, <http://kzd-nondiscrimination.com/layout/images/stories/2015/otchet/KZD-ot4et-2018-bg.pdf>.

¹² Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2019), *Annual Report on the Activities of the Ombudsman 2018 (Годишен доклад за дейността на Омбудсмана 2018 г.)*, Sofia, Ombudsman of the Republic of Bulgaria, [www.ombudsman.bg/pictures/REPORT-BG%20mart_2019\(1\).pdf](http://www.ombudsman.bg/pictures/REPORT-BG%20mart_2019(1).pdf).

institutional parameters that impact on diversity management on the Bulgarian labour market,¹³ while the second one provides a needs assessment of the local business community in relation to diversity.¹⁴

The Youth LGBT Organisation “Deystvie” (*Младежка ЛГБТ организация „Действие“*) published a study on the application of the Free Movement Directive to LGBTI couples in Bulgaria. The analysis includes a review of the rights guaranteed to EU citizens and an analysis of the measures and deficiencies in the implementation of the Directive in Bulgaria, a review of administrative and judicial practice in the country and data from a national survey of same-sex couples with recognised status in other EU Member States who live in Bulgaria.¹⁵ The organisation also delivered a two-day training for police officers on the investigation of homophobia and transphobia motivated hate crime.¹⁶

A report on the public perceptions of democracy, rule of law and fundamental rights, published in June 2019 by Open Society Institute – Sofia (OSIS) (*Институт Отворено общество – София, ИООС*), examined the discriminatory attitudes in relation to the then upcoming local elections. According to the study, 70 % of Bulgarians would not vote for a candidate of Roma ethnic origin, 65 % would not support a gay or lesbian person and 63 % would not vote for a person of Turkish ethnic origin. The report is based on the results of a national representative survey (sample of 1,174 adult respondents) carried out in April 2018.¹⁷

In its chapter on discrimination, the annual human rights report of the Bulgarian Helsinki Committee (BHC) (*Български хелзинкски комитет, БХК*) concludes that the most discriminated groups in Bulgarian society are Roma, LGBTI persons, refugees and migrants, as well as Bulgarian citizens of Macedonian and Pomak origin, and that there is an increasing use of hate speech, which remains unpunished. The report also provides a detailed overview of selected discrimination-related court cases completed during 2018.¹⁸

¹³ Novosiolova, T. and Yordanova, M. (2019), *Diversity Management in Bulgaria: Politico-Legal Prerequisites and Self-Regulation*, Sofia, Center for the Study of Democracy, <https://diverse-bg.eu/publications/>.

¹⁴ Terziev, P. (2019), *Diversity Management in Bulgaria: Perceptions, Practices and Expectations*, Sofia, Center for the Study of Democracy, <https://diverse-bg.eu/publications/>.

¹⁵ Hristev, H., Lyubanova, D. and Dragoeva, L. (2019), *Free Movement of European Citizens – Rights and Challenges to Same-Sex Families in the Republic of Bulgaria*, Sofia, Youth LGBT Organisation “Deystvie”, https://csd.bg/fileadmin/user_upload/publications_library/files/2019_05/LoveMoves_Report_ENG.pdf.

¹⁶ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

¹⁷ Ivanova, I. (2019), *Democracy and Civic Participation: public attitudes to democracy, rule of law and fundamental human rights in 2018* (*Демокрация и гражданско участие: обществените нагласи към демокрацията, върховенството на правото и основните права на човека през 2018 г.*), Sofia, Open Society Institute - Sofia, <https://osis.bg/wp-content/uploads/2019/06/State-of-Democracy-2018-BG.pdf>.

¹⁸ Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2019), *Human rights in Bulgaria in 2018* (*Правата на човека в България през 2018 г.*), Sofia, Bulgarian Helsinki Committee, www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf.

Chapter 2. Racism, xenophobia and related intolerance

1. Legal, policy developments and measures relating to the application of the Racial Equality Directive

In its annual activity report for 2018, the Commission for Protection against Discrimination (CPD) (*Комисия за защита от дискриминация, КЗД*) reported on 28 newly launched cases for discrimination on the grounds of ethnic origin. Their number is relatively low compared to the cases for discrimination on other grounds like disability (459 cases), personal status (180 cases), social status (57 cases) and age (51 cases).¹⁹ The majority of cases for discrimination on the grounds of disability were linked to the lack of accessible environment in places like hotels, restaurants, banks, mobile service providers and educational facilities. The increased number of these cases was also due to the awareness campaign ‘Accessible Bulgaria’ (*„Достъпна България“*) carried out by the Commission for Protection against Discrimination (CPD) (*Комисия за защита от дискриминация, КЗД*). According to the report, the prevalence of cases for discrimination on the grounds of disability, in particular cases related to inaccessible environment, leads to the conclusion that national and local authorities should invest more resources in bringing the architectural environment in accordance with the needs of people with disabilities.²⁰

In its annual activity report, the Ombudsman reported on 24 received complaints about discrimination, mostly from persons from minority groups as well as persons with disabilities and older persons.²¹

The Mechanism for Joint Action of the Institutions for Outreach and Inclusion of Children and Students of School and Pre-School Age in the Educational System (*Механизъм за съвместна работа на институциите по обхващане и включване в образователната система на деца и ученици в задължителна предучилищна и училищна възраст*)²² established in 2018 plays a key role in the implementation of the Strategy of Educational Integration of Children and Students from Ethnic Minorities, 2015-2020 (*Стратегия за образователна интеграция на децата и учениците от етническите малцинства, 2015-2020*) and the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*Стратегия за намаляване дела на преждевременно напусналите образователната система, 2013-2020*).²³ Priority areas of action in 2019 included parental engagement among vulnerable groups, including Roma, introducing educational mediators and social workers at schools, and providing additional Bulgarian language classes for students whose mother

¹⁹ Bulgaria, Commission for Protection against Discrimination (*Комисия за защита от дискриминация*) (2019), *Annual Report for 2018 (Годишен отчет за 2018 г.)*, Sofia, Commission for Protection against Discrimination, <http://kzd-nondiscrimination.com/layout/images/stories/2015/otchet/KZD-ot4et-2018-bg.pdf>.

²⁰ Bulgaria, Commission for Protection against Discrimination (*Комисия за защита от дискриминация*) (2019), *Annual Report for 2018 (Годишен отчет за 2018 г.)*, Sofia, Commission for Protection against Discrimination, pp. 29-30, <http://kzd-nondiscrimination.com/layout/images/stories/2015/otchet/KZD-ot4et-2018-bg.pdf>.

²¹ Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2019), *Annual Report on the Activities of the Ombudsman 2018 (Годишен доклад за дейността на Омбудсмана 2018 г.)*, Sofia, Ombudsman of the Republic of Bulgaria, [www.ombudsman.bg/pictures/REPORT-BG%20mart_2019\(1\).pdf](http://www.ombudsman.bg/pictures/REPORT-BG%20mart_2019(1).pdf).

²² Bulgaria, Council of Ministers (*Министерски съвет*) (2018), Decree No. 100/8.06.2018 on the Establishment and Functioning of the Mechanism for Joint Action of the Institutions for Outreach and Inclusion of Children and Students of School and Pre-School Age in the Educational System, promulgated in SG 50/15.06.2018 (*Постановление № 100/8.06.2018 за създаване и функциониране на Механизъм за съвместна работа на институциите по обхващане и включване в образователната система на деца и ученици в задължителна предучилищна и училищна възраст, обнародвано в ДВ №50/15.06.2018*), <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=127310>.

²³ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Letter No. 16-996/25.09.2019 to the Center for the Study of Democracy (*Писмо № 16-996/25.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

tongue is not Bulgarian.²⁴ For example, the 2018-2020 Implementation plan for the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*План за 2018-2020 г. за изпълнение на Стратегията за намаляване дела на преждевременно напусналите образователната система, 2013-2020*) sets a target of 3200 parents to be engaged in activities for countering negative stereotypes and discrimination.²⁵ The Plan further seeks to engage a target of 2000 parents of students belonging to ethnic minorities in awareness-raising activities on the value of education. The Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОИ*) administers online databases with identified good practices for educational integration²⁶ and reducing the number of school dropouts.²⁷

The Centre for Educational Integration of Children and Students of Ethnic Minorities (CEICSEM) (*Център за образователна интеграция на децата и учениците от етнически малцинства, ЦОИДУЕМ*) is implementing the project 'Ethnic Minority Integration School Hub' („Хъб – Интеграция на етническите малцинства в училище“) which aims to create and develop a cross-sectoral partnership network for sharing and disseminating good practices for prevention of early school dropping-out by students of vulnerable groups, including ethnic minorities.²⁸ The project is funded under the Erasmus + Programme of the European Commission and has a duration of 18 months (September 2018 – February 2020). It features cross-border mobility events designed to facilitate experience sharing, interaction, and dialogue among project partners by allowing them to share creative methods for working with children from vulnerable groups, develop methodologies and plans for adapting the best practices from the three countries, and interact with government representatives in charge of policy implementation on education integration.

In the framework of a project for launching a Diversity Charter in Bulgaria, the Center for the Study of Democracy (CSD) (*Център за изследване на демокрацията, ЦИД*) and the Bulgarian Business Leaders Forum (BBLF) (*Български форум на бизнес лидерите, БФБЛ*) published a study on the perceptions, practices and expectations of the local business community in relation to diversity. According to the report, which is based on the results of national representative business survey, 55 % of Bulgarian companies had recruited employees of Turkish ethnic origin and 49 % had hired Roma employees.²⁹ At the same time, the report found that only 12 % of Bulgarian companies had appointed persons of different ethnic origin at managerial positions, more than 80 % had not taken any proactive steps to recruit persons of such origin and more than 50 % had no active policies to promote career development of such employees.³⁰

²⁴ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Letter No. 16-996/25.09.2019 to the Center for the Study of Democracy (*Писмо № 16-996/25.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

²⁵ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2018), 2018-2020 Implementation plan for the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*План за 2018-2020 г. за изпълнение на Стратегията за намаляване дела на преждевременно напусналите образователната система, 2013-2020*), 2 May 2018, <https://www.mon.bg/bg/143>.

²⁶ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Good Practices for Educational Integration (*Добри практики за образователна интеграция*), www.mon.bg/bg/1733.

²⁷ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Good Practices for the Implementation of Policies for Reducing the Number of School Dropouts (*Добри практики за изпълнение на политиките за намаляване на отпадането и преждевременно напускане на училище*), www.mon.bg/bg/1163.

²⁸ Centre for Educational Integration of Children and Students of Ethnic Minorities (*Център за образователна интеграция на децата и учениците от етнически малцинства*) (2019), 'Ethnic Minority Integration School Hub' („Хъб – Интеграция на етническите малцинства в училище“), Sofia, <http://coiduem.mon.bg/en/category/project-ethnic-minority-integration-school-hub/>.

²⁹ Terziev, P. (2019), *Diversity Management in Bulgaria: Perceptions, Practices and Expectations*, Sofia, Center for the Study of Democracy, <https://diverse-bg.eu/publications/>.

³⁰ Terziev, P. (2019), *Diversity Management in Bulgaria: Perceptions, Practices and Expectations*, Sofia, Center for the Study of Democracy, <https://diverse-bg.eu/publications/>.

2. Legal, policy developments and measures relating to the application of the Framework Decision on Racism and Xenophobia

On 16 February 2019, the government organised a meeting to discuss the mutual cooperation between Bulgarian institutions, foreign diplomatic missions and the Jewish community in the country against hate speech and intolerance. During the meeting the participants signed a manifesto “Together against hate speech” („*Заедно срещу езика на омразата*“), which is aimed to make the society more sensitive to manifestations of racism, antisemitism, xenophobia, discrimination and aggression toward the different.³¹

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) completed its two-year project aimed to build a comprehensive criminal justice response to hate crime in Bulgaria, Greece, Italy and Poland.³² The activities, implemented in 2019, included the publication of a resource toolkit³³ and a closing conference report,³⁴ and the organisation of a national seminar for civil society organisations on countering and registration of hate crime.³⁵

The annual human rights report of the Bulgarian Helsinki Committee (BHC) (*Български хелзинкски комитет*, БХК) highlights the increased use of hate speech and racist and xenophobic language by some political parties and senior politicians, mostly targeted against the Roma population.³⁶

³¹ Bulgaria, Council of Ministers (*Министерски съвет*) (2019), ‘The Council of Ministers held a meeting entitled “Together for Bulgaria, Together for Europe”’ (*‘В Министерския съвет се проведе среща под надслов „Заедно за България, заедно за Европа“*’), press release, 16 February 2019, <http://government.bg/bg/prestsentar/novini/v-ministerskiya-savet-se-provede-sreshta-pod-nadslov-zaedno-za-balgariya-zaedno-za-evropa>“.

³² For more information about the project, see the website of OSCE, www.osce.org/projects/criminal-justice-response-hate-crime.

³³ Organization for Security and Co-operation in Europe (2019), *Building a Comprehensive Criminal Justice Response to Hate Crime: A Resource Toolkit*, Warsaw, OSCE, www.osce.org/odihr/411074.

³⁴ Organization for Security and Co-operation in Europe (2019), *Building a Comprehensive Criminal Justice Response to Hate Crime: Project Closing Conference Report*, Warsaw, OSCE, www.osce.org/odihr/409563.

³⁵ Bulgaria, Commission for Protection against Discrimination (*Комисия за защита от дискриминация*) (2019), ‘Hate Crime Seminar’ (*‘Семинар за престъпления от омраза’*), press release, 19 February 2019, www.kzd-nondiscrimination.com/layout/index.php/component/content/article/2/1355-2019-02-19-15-14-36.

³⁶ Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2019), *Human rights in Bulgaria in 2018 (Правата на човека в България през 2018 г.)*, Sofia, Bulgarian Helsinki Committee, www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf.

Chapter 3. Roma integration

1. Measures and developments addressing Roma/Travellers segregation

The Centre for Educational Integration of Children and Students of Ethnic Minorities (CEICSEM) (*Център за образователна интеграция на децата и учениците от етнически малцинства*, ЦОИДУЕМ) established in 2005 seeks support the implementation of government policies regarding the educational needs of children and students from ethnic minorities. The Centre is the lead partner of a project titled ‘Ethnic Minority Integration School Hub’ (*„Хъб – Интеграция на етническите малцинства в училище“*) which aims to create and develop a cross-sectoral partnership network for sharing and disseminating good practices for prevention of early school dropping-out by students of vulnerable groups, including ethnic minorities.³⁷ The project is funded under the Erasmus + Programme of the European Commission and has a duration of 18 months (September 2018 – February 2020). It is being implemented by a consortium of organisations from Bulgaria, Northern Macedonia, and Spain. The project features cross-border mobility events designed to facilitate experience sharing, interaction, and dialogue among project partners by allowing them to share creative methods for working with children from vulnerable groups, develop methodologies and plans for adapting the best practices from the three countries, and interact with government representatives in charge of policy implementation on education integration. Mobility events are intended to bring together experts, pedagogues, school psychologists, pedagogical advisers, and youth workers with experience in the prevention of premature school drop-out. Participants share their expertise and present good pedagogical models for retaining pupils in school. Through a series of panel discussions, participants gain insights into adapting existing good practices to their local context. Among the envisaged end products of the project is the production of a manual for applying these models in their professional practice.³⁸

The municipality of Rakitovo is implementing a project titled ‘For a Better Life in the Municipality of Rakitovo’ (*„За по-добър живот в община Ракитово“*) which focuses on social inclusion, reduction of poverty, and integration of the most marginalized communities in the municipality and particularly, Roma.³⁹ The project is supported through the Operational Programme ‘Human Resource Development’ (*Оперативна програма „Развитие на човешките ресурси“*) and Operational Programme ‘Science and Education for Smart Growth’ (*Оперативна програма „Наука и образование за интелигентен растеж“*). The project started in April 2019 and has a duration of 18 months. The envisaged project activities include activation of economically inactive persons, provision of psychological assistance for children belonging to ethnic minorities through individual and group work, and social and professional integration of marginalized groups, including Roma, in order to facilitate their participation in the labour market. The project further envisages student assistance and parental engagement programmes in the area of education for the families of children and students belonging to ethnic minorities within the municipality. An important element of the project is the development of a forum for multicultural dialogue through the establishment of an interactive platform titled ‘Colours’ (*„Цветове“*) which will

³⁷ Centre for Educational Integration of Children and Students of Ethnic Minorities (*Център за образователна интеграция на децата и учениците от етнически малцинства*) (2019), ‘Ethnic Minority Integration School Hub’ (*„Хъб – Интеграция на етническите малцинства в училище“*), Sofia, <http://coiduem.mon.bg/en/category/project-ethnic-minority-integration-school-hub/>.

³⁸ Centre for Educational Integration of Children and Students of Ethnic Minorities (*Център за образователна интеграция на децата и учениците от етнически малцинства*) (2019), ‘The First Transnational Workshop of the Ethnic Minority Integration School Hub Project’, Sofia, <http://coiduem.mon.bg/en/2018/10/26/the-first-transnational-workshop-of-the-ethnic-minority-integration-school-hub-project/>.

³⁹ Bulgaria, National Council for Cooperation on Ethnic and Integration Issues (*Национален съвет за сътрудничество по етническите и интеграционните въпроси*) (2019), ‘Meetings as part of project ‘For a Better Life in the Municipality of Rakitovo’ funded by Operational Programme ‘Science and Education for Smart Growth’ (*„Среци по проект „За по-добър живот в община Ракитово“ по ОП „Наука и образование за интелигентен растеж“*)’, Press release, 9 October 2019, www.nccedi.government.bg/bg/node/289.

use modern art to re-create Bulgarian and Roma traditions and culture. As part of the forum, local activity groups will be formed, in order to help overcome negative stereotypes based on ethnic origin and cultural identity through inclusive events, awareness-raising, engagement, and participation.⁴⁰

CEGA Foundation (Фондация С.Е.Г.А.) is implementing a project titled 'Equality League' („Лигата на равнопоставеността“) which seeks to counter discrimination against vulnerable groups, especially Roma, LGBTI, and persons with disabilities.⁴¹ This is a three-year project that is co-funded by the European Commission and being implemented in partnership with three Bulgarian non-governmental organisations: Youth LGBT Organisation 'Action' (Младежка ЛГБТ организация „Действие“), 'Listen Up' Foundation (Фондация „Заслушай се“), Association Youth Club 'Roma – Stolipinovo' (Сдружение Младежки клуб „Рома – Столипиново“), and the Center for Community Organizing in Slovakia. In April 2019, a Roma Month (Месец на ромската общност) was initiated within the framework of the project.⁴² The Roma Month comprised a series of activities and initiatives focused on community engagement and Roma empowerment regarding the value of education, the need for positive role models within the community, and the effects of early marriage. The events took place in the Stolipinovo neighbourhood in Plovdiv where a significant Roma population is concentrated.

In June 2019, the Ethnic Minorities and Health Problems Foundation (Фондация „Здравни проблеми на малцинствата“) offered online training intended to assist Roma high school graduates in their preparation for the entry examinations of medical schools in Bulgaria. The initiative was funded by the 'Trust for Social Achievement' (Тръст за социална алтернатива).⁴³

The Active Citizens Fund (Фонд „Активни граждани“) is administering a scholarship programme for Roma university students who are enrolled on health-related courses in 2019-2020.⁴⁴ The scholarship programme aims to support the development of Roma health professionals who are qualified to work towards improving the health of Roma community and act as positive role models for their peers. The scholarship programme is open to undergraduate and post-graduate students in the field of medicine, pharmacy, dentistry, public health, and healthcare. An indicative number of 25 scholarships are to be granted.

2. Policy and legal measures and developments directly or indirectly addressing Roma/Travellers inclusion

Since 2018, the progress of the implementation of the National Strategy of the Republic of Bulgaria for Roma Integration, 2012-2020 (Национална стратегия на Република България за интегриране на

⁴⁰ Bulgaria, Information System for Management and Monitoring of EU Funds in Bulgaria 2020 (Информационна система за управление и наблюдение на средствата от ЕС в България 2020), (2019), 'For a Better Life in the Municipality of Rakitovo' („За по-добър живот в община Ракитово“), <http://2020.eufunds.bg/bg/0/0/Project/Activities?contractId=ea19ckXPeIs%3D&isHistoric=False>.

⁴¹ CEGA Foundation (Фондация С.Е.Г.А.) (2019), 'Equality League' („Лигата на равнопоставеността“), Press release, <http://cega.bg/587-2/>.

⁴² CEGA Foundation (Фондация С.Е.Г.А.) (2019), 'Roma Month' (Месец на ромската общност), Press release, <http://cega.bg/месец-на-ромската-общност/>.

⁴³ Ethnic Minorities Health Problems Foundation (Фондация „Здравни проблеми на малцинствата“) (2019), 'Online training for preparation to apply for the medical courses of Medical College 'Yordanka Filaretova' and the Bachelor programmes of the Faculty of Public Health of Medical University – Sofia' („Виртуално обучение за подготовка за кандидатстване в медицинските специалности към Медицински колеж „Йорданка Филаретова“ и бакалавърските специалности към Факултета по Обществено здраве към МУ София“), Press release, www.emhpf.org/events.php.

⁴⁴ Active Citizens Fund (Фонд „Активни граждани“) (2019), 'Call for Scholarships for Roma Students in Health-Related Disciplines' („Конкурс за отпускане на стипендии на студенти от ромски произход, изучаващи здравни специалности“), Press release, 10 October 2019, www.eegrants.bg/novini/fond-aktivni-grazhdani.-blgariya-obyavyava-konkurs-za-otpuskane-na-stipendii-na-studenti-ot-romski-proizhod.-izuchavashhi-zdravni-speczialnosti.

ромите, 2012-2020) is reviewed through an online system for monitoring, assessment, and control which uses the indicators defined by the National Strategy.⁴⁵ In 2019, the Bulgarian Academy of Sciences (BAS) (*Българската академия на науките*, БАН) published a report titled ‘Analytical Report on the Progress of the Republic of Bulgaria Concerning the Main Priorities of Roma Social Inclusion Based on the Data and Strategic Documents of the System for Monitoring, Assessment and Control of the Implementation of the National Strategy for Roma Integration of the Republic of Bulgaria, 2012-2020’ (*„Аналитичен доклад за напредъка на Република България по основните приоритети за социално включване на ромите, съгласно данни и стратегически документи от Системата за мониторинг, оценка и контрол за изпълнение на Националната стратегия на Република България за интегриране на ромите, 2012-2020*).⁴⁶ The report noted that during 2018 significant policy activities have been carried out in three domains, namely access to employment, educational integration, and healthcare provision.⁴⁷

The Action Plan 2019-2020 for the Implementation of the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020 (*План за действие за периода 2019-2020 за изпълнение на Националната стратегия за намаляване на бедността и насърчване на социалното включване 2020*) features measures for promoting the inclusion of vulnerable groups, including ethnic minorities in the labour market.⁴⁸ These measures are being implemented as part of Operational Programme “Human Resources Development” 2014-2020 (*Оперативна програма „Развитие на човешките ресурси“ 2014-2020*).⁴⁹

⁴⁵ Bulgaria, National Council for Cooperation on Ethnic and Integration Issues (*Национален съвет за сътрудничество по етническите и интеграционните въпроси*) (2018), System for Monitoring, Assessment, and Control of the Implementation of the National Strategy of the Republic of Bulgaria for Roma Integration, 2012-2020 (*Система за мониторинг, оценка и контрол за изпълнение на Национална Стратегия на Република България за Интеграция на Ромите 2012-2020 г.*), <https://nrpcsystem.government.bg/>.

⁴⁶ Bulgaria, Bulgarian Academy of Sciences (*Българска академия на науките*) (2019), ‘Analytical Report on the Progress of the Republic of Bulgaria Concerning the Main Priorities of Roma Social Inclusion Based on the Data and Strategic Documents of the System for Monitoring, Assessment and Control of the Implementation of the National Strategy for Roma Integration of the Republic of Bulgaria, 2012-2020’ (*„Аналитичен доклад за напредъка на Република България по основните приоритети за социално включване на ромите, съгласно данни и стратегически документи от Системата за мониторинг, оценка и контрол за изпълнение на Националната стратегия на Република България за интегриране на ромите, 2012-2020*), 13 May 2019, Sofia, <https://nrpcsystem.government.bg/KPIResults/Forms/AllItems.aspx?RootFolder=%2FKPIResults%2F7%5F%D0%9C%D0%BE%D0%BD%D0%B8%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3%D0%BE%D0%B2%D0%B8%20%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4%D0%B8&FolderCTID=0x012000BEA79887DBC8F84AA57260B3786B95CB&View=%7BF2967852%2D0479%2D4117%2DABA3%2DA196DE0F8FDB%7D>.

⁴⁷ Bulgaria, Bulgarian Academy of Sciences (*Българска академия на науките*) (2019), ‘Analytical Report on the Progress of the Republic of Bulgaria Concerning the Main Priorities of Roma Social Inclusion Based on the Data and Strategic Documents of the System for Monitoring, Assessment and Control of the Implementation of the National Strategy for Roma Integration of the Republic of Bulgaria, 2012-2020’ (*„Аналитичен доклад за напредъка на Република България по основните приоритети за социално включване на ромите, съгласно данни и стратегически документи от Системата за мониторинг, оценка и контрол за изпълнение на Националната стратегия на Република България за интегриране на ромите, 2012-2020*), 13 May 2019, Sofia, <https://nrpcsystem.government.bg/KPIResults/Forms/AllItems.aspx?RootFolder=%2FKPIResults%2F7%5F%D0%9C%D0%BE%D0%BD%D0%B8%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3%D0%BE%D0%B2%D0%B8%20%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4%D0%B8&FolderCTID=0x012000BEA79887DBC8F84AA57260B3786B95CB&View=%7BF2967852%2D0479%2D4117%2DABA3%2DA196DE0F8FDB%7D>.

⁴⁸ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Action Plan 2019-2020 for the Implementation of the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020 (*План за действие за периода 2019-2020 за изпълнение на Националната стратегия за намаляване на бедността и насърчване на социалното включване 2020*), www.mlsp.government.bg/index.php?section=POLICIES&P=378.

⁴⁹ Bulgaria, Operational Programme “Human Resources Development” 2014-2020 (*Оперативна програма „Развитие на човешките ресурси“ 2014-2020*) (2019), www.eufunds.bg/archive2018/index.php/en/programming-period-2014-2020/operational-programmes-2014-2020/operational-programme-human-resources-development-2014-2020/item/13785-operational-programme-human-resources-development-2014-2020.

The National Employment Agency (NEA) (*Агенцията по заетостта, АЗ*) provides a wide range of services for supporting the inclusion of unemployed persons, including Roma through awareness-raising, consulting, psychological assistance, job hunting encouragement, career orientation, and training.⁵⁰ Roma who are registered with the Labour Bureau branches (*дирекции на „Бюрото по труда“*) can also benefit from Job-Search Workshops (*Ателие за търсене на работа*).⁵¹ Between 1 January 2019 and 30 June 2019, over 24,000 unemployed Roma have taken part in different activities that support integration in the labour market (Table 1).⁵² In enhance the access of unemployed Roma to the labour market and motivating them to register with the Labour Bureau branches (*дирекции на „Бюрото по труда“*), the National Employment Agency (NEA) (*Агенция по заетостта, АЗ*) relies upon Roma mediators who run information and awareness-raising campaigns and hold individual and group meetings.⁵³ During the first six months of 2019, Roma mediators have encouraged 3,005 economically inactive Roma to register with the Labour Bureau branches (*дирекции на „Бюрото по труда“*).⁵⁴ In order to facilitate the access of unemployed Roma to information regarding job openings and provide a direct contact with prospective employers, labour exchanges (*трудови борси*) are organized. During the first six months of 2019, 87 labour exchanges have been held, 21 of which were specialised.⁵⁵

Table 1: Number of unemployed Roma covered by national measures for promoting integration in the labour market in the first six months of 2019

Total number of Roma covered	24,344
Number of Roma who have taken part in activities for enhancing employability and professional qualification	12,588
Number of Roma for whom employment has been provided	11,756
Number of Roma who have participated in activities for promoting entrepreneurship and business management	65
Number of Roma who have taken part in activities for promoting social and civil dialogue in support of Roma employment	101

⁵⁰ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019. See also Bulgaria, National Employment Agency (NEA) (*Агенция по заетостта, АЗ*) (2015), 'Improvement of the Quality and Effectiveness of Public Services for Vulnerable Groups at the Labour Market and Employers Project' (*Проект 'Подобряване качеството и ефективността на публичните услуги за уязвимите групи на пазара на труда и работодателите'*), Press release, www.az.government.bg/pages/procedura-podobryavane-kachestvoto-i-efektivnostta-na-publichните-uslugi-za-uyazvimite-grupi-na-pazara-po-truda-i-rabotodatelite/.

⁵¹ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

⁵² Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

⁵³ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

⁵⁴ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

⁵⁵ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (*Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

Source: Bulgaria, Ministry of Labour and Social Policy (Министерство на труда и социалната политика) (2019), Letter No. 39-266/27.09.2019 to the Center for the Study of Democracy (Писмо № 39-266/27.09.2019 до Центъра за изследване на демокрацията)

The 2019 Action Plan for the Implementation of the National Strategy for Life-Long Learning, 2014-2020 (*План за действие за 2019 г. в изпълнение на Националната стратегия за учене през целия живот за периода 2014 – 2020 г.*) features measures that aim to ensure that Roma benefit from the modernisation of education system, including in the sphere of higher education.⁵⁶ In particular, the Plan envisages the modernisation of some 225 educational and/or day-care facilities which is expected to benefit over 10 000 people of marginalised groups including Roma, as well as 13 higher education institutions which is expected to benefit over 500 people of marginalised groups, including Roma.⁵⁷

The Mechanism for Joint Action of the Institutions for Outreach and Inclusion of Children and Students of School and Pre-School Age in the Educational System (*Механизъм за съвместна работа на институциите по обхващане и включване в образователната система на деца и ученици в задължителна предучилищна и училищна възраст*)⁵⁸ established in 2018 plays a key role in the implementation of the Strategy of Educational Integration of Children and Students from Ethnic Minorities, 2015-2020 (*Стратегия за образователна интеграция на децата и учениците от етническите малцинства, 2015-2020*) and the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*Стратегия за намаляване дела на преждевременно напусналите образователната система, 2013-2020*).⁵⁹ Priority areas of action in 2019 include parental engagement among vulnerable groups, including Roma, introducing educational mediators and social workers at schools, and providing additional Bulgarian language classes for students whose mother tongue is not Bulgarian.⁶⁰ For example, the 2018-2020 Implementation plan for the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*План за 2018-2020 г. за изпълнение на Стратегията за намаляване дела на преждевременно напусналите образователната система, 2013-2020*) sets a target of 3200 parents to be engaged in activities for countering negative stereotypes and discrimination.⁶¹ The Plan further seeks to engage a target of 2000 parents of students belonging to ethnic minorities in awareness-raising activities on the value of education. The Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОИ*) administers online

⁵⁶ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), 2019 Action Plan for the Implementation of the National Strategy for Life-Long Learning, 2014-2020 (*План за действие за 2019 г. в изпълнение на Националната стратегия за учене през целия живот за периода 2014 – 2020 г.*), 12 June 2019, <https://www.mon.bg/bg/143>.

⁵⁷ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), 2019 Action Plan for the Implementation of the National Strategy for Life-Long Learning, 2014-2020 (*План за действие за 2019 г. в изпълнение на Националната стратегия за учене през целия живот за периода 2014 – 2020 г.*), 12 June 2019, <https://www.mon.bg/bg/143>.

⁵⁸ Bulgaria, Council of Ministers (*Министерски съвет*) (2018), Decree No. 100/8.06.2018 on the Establishment and Functioning of the Mechanism for Joint Action of the Institutions for Outreach and Inclusion of Children and Students of School and Pre-School Age in the Educational System, promulgated in SG 50/15.06.2018 (*Постановление № 100/8.06.2018 за създаване и функциониране на Механизъм за съвместна работа на институциите по обхващане и включване в образователната система на деца и ученици в задължителна предучилищна и училищна възраст, обнародвано в ДВ №50/15.06.2018*), <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=127310>.

⁵⁹ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Letter No. 16-996/25.09.2019 to the Center for the Study of Democracy (Писмо № 16-996/25.09.2019 до Центъра за изследване на демокрацията), 3 October 2019.

⁶⁰ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Letter No. 16-996/25.09.2019 to the Center for the Study of Democracy (Писмо № 16-996/25.09.2019 до Центъра за изследване на демокрацията), 3 October 2019.

⁶¹ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2018), 2018-2020 Implementation plan for the Strategy for Reducing the Portion of School Drop-Outs, 2013-2020 (*План за 2018-2020 г. за изпълнение на Стратегията за намаляване дела на преждевременно напусналите образователната система, 2013-2020*), 2 May 2018, <https://www.mon.bg/bg/143>.

databases with identified good practices for educational integration⁶² and reducing the number of school dropouts.⁶³

The Ministry of Health (*Министерство на здравеопазването, МЗ*) is implementing a National Programme for the Elimination of Measles and Rubella 2019-2022 (*Национална програма за елиминация на морбили и рубеола, 2019-2022 г.*) which includes the opportunity for organising targeted vaccination campaigns for vulnerable groups with an increased risk of infection, including Roma.⁶⁴

⁶² Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Good Practices for Educational Integration (*Добри практики за образователна интеграция*), www.mon.bg/bg/1733.

⁶³ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Good Practices for the Implementation of Policies for Reducing the Number of School Dropouts (*Добри практики за изпълнение на политиките за намаляване на отпадането и преждевременното напускане на училище*), www.mon.bg/bg/1163.

⁶⁴ Bulgaria, Ministry of Health (*Министерство на здравеопазването*) (2019), National Programme for the Elimination of Measles and Rubella 2019-2022 (*Национална програма за елиминация на морбили и рубеола, 2019-2022 г.*), 27 July 2019, www.mh.government.bg/media/filer_public/2019/07/29/18rh741pr.pdf.

Chapter 4. Asylum, visas, migration, borders and integration

Unaccompanied children reaching the age of majority

Area of support	Description
<p>Residence permit</p> <p><i>Reception conditions Directive (article 6 and 7) and Qualification Directive (articles 24 and 31)</i></p>	<p><i>Please explain whether unaccompanied children (non-asylum seekers and asylum seekers) get temporary permits and if they expire when turning 18. Please elaborate on which type of permit is granted when they reach 18 years and under which conditions (e.g. being enrolled in education, or having an employment contract.)</i></p> <p>Unaccompanied foreign children, who have applied for international protection, are provided with a registration card. The registration cards are valid for three months, but their validity can be extended until the completion of the asylum procedure. If the child is granted international protection, the registration card is replaced, depending on the granted status, by a refugee card, asylum beneficiary card or humanitarian status holder card.⁶⁵</p> <p>Unaccompanied foreign children (as well as foreign children under the age of 18, who have entered the territory of Bulgaria with an accompanying adult but have been abandoned), who have not applied for or have been denied international protection, can be granted an extended residence permit, which is valid until they turn 18.⁶⁶ An extended residence permit is not granted if the child can be returned to a member of their family, to a designated guardian or to an appropriate reception centre in their country of origin, in a third country ready to receive them, or in a country obliged to accept them by virtue of a transfer and readmission agreement with Bulgaria, provided that their life and freedom are not endangered there and they are not threatened by persecution, torture or inhuman or degrading treatment. After the child, who has been granted extended residence permit, turns 18, they can obtain a new extended residence permit only in the presence of humanitarian reasons.⁶⁷</p>

⁶⁵ Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 31 May 2002, Art. 40 and 41, www.lex.bg/laws/ldoc/2135453184.

⁶⁶ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

⁶⁷ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

<p>Guardianship (representative under Reception Conditions Directive Article 24.1)</p>	<p><i>Please elaborate on how the role of guardians is affected when the child reaches 18, and of any initiatives to expand the guardian’s support, for example transforming the guardian into a ‘mentor’ supporting the child until a certain age.</i></p> <p>Unaccompanied children, who have applied for international protection, have a legal representative appointed by the mayor. The legal representative is an official from the municipal administration and is responsible for representing the child until they turn 18. There are no rules providing for the extension of the role of the legal representative after the child turns 18.⁶⁸</p> <p>Unaccompanied foreign children (as well as foreign children under the age of 18, who have entered the territory of Bulgaria with an accompanying adult but have been abandoned), who have not applied for or have been denied international protection, are represented by the local Social Assistance Directorate (<i>Дирекция „Социално подпомагане“</i>) within the procedure for granting an extended residence permit. The local Social Assistance Directorate (<i>Дирекция „Социално подпомагане“</i>) is responsible for immediately placing the child under one of the child protection measures envisaged the Child Protection Act (<i>Закон за закрила на детето</i>).⁶⁹ These measures are accommodation in a foster family or in a residential social or integrated health-and-social service.⁷⁰ The foster family or the service, in which the child is accommodated, is responsible for all legal actions concerning the child’s rights.⁷¹ Child protection measures apply until the child turns 18 or, if the child is studying, until they finish secondary education but not more than 20 years of age.⁷²</p>
<p>Accommodation Reception Conditions Directive Article 24.2</p>	<p><i>Please explain what children reaching 18 years are entitled to in terms of accommodation, for example extension of foster care programmes until the age of 21, only transfer to an adult accommodation, or other accommodation support.</i></p> <p>Unaccompanied children, who have applied for international protection, and those, who have received international protection, are accommodated in the family of their relatives, a foster family, a residential social or integrated health-and-social service, or another place with special conditions for accommodating children. This measure applies only</p>

⁶⁸ Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 31 May 2002, Art. 25, www.lex.bg/laws/ldoc/2135453184.

⁶⁹ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

⁷⁰ Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, Art. 26 and 27, www.lex.bg/laws/ldoc/2134925825.

⁷¹ Bulgaria, Family Code (*Семеен кодекс*), 23 June 2009, Art. 137, www.lex.bg/laws/ldoc/2135637484.

⁷² Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, Art. 29, www.lex.bg/laws/ldoc/2134925825.

	<p>until the child turns 18.⁷³ If the child is studying, there is an option for extending the duration of accommodation until completion of secondary education, but not more than 20 years of age.⁷⁴</p> <p>Unaccompanied children (as well as children under the age of 18, who have entered the territory of Bulgaria with an accompanying adult but have been abandoned), who have not applied for or have been denied international protection, are accommodated in a foster family or in a residential social or integrated health-and-social service.⁷⁵ These accommodation arrangements apply until the child turns 18 or, if the child is studying, until completion of secondary education but not more than 20 years of age.⁷⁶</p>
<p>Return <i>Return Directive, Article 10</i></p>	<p><i>Please explain whether there are any special measures to prepare unaccompanied children for a return procedure and whether young adults receive any form of free assistance during eventual return procedures</i></p> <p>Unaccompanied children (as well as children under the age of 18, who have entered the territory of Bulgaria with an accompanying adult but have been abandoned), who have not applied for or have been denied international protection, can be returned to a member of their family, to a designated guardian or to an appropriate reception centre in their country of origin, in a third country ready to receive them, or in a country obliged to accept them by virtue of a transfer and readmission agreement with Bulgaria, provided that their life and freedom are not endangered there and they are not threatened by persecution, torture or inhuman or degrading treatment.⁷⁷ There are no special procedures or measures for preparing the child for the return procedure. The only special rule concerning the return of unaccompanied children is the ban for placing such children in pre-removal detention facilities.⁷⁸ There are no rules providing for free assistance to young adults during return procedures either. According to the Ministry of the Interior (MoI) (<i>Министерство на вътрешните работи</i>, MBP) return procedures are implemented in a humane and transparent manner considering the individual needs of the returned person and observing their personal dignity.⁷⁹</p>

⁷³ Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 31 May 2002, Art. 29 and 33, www.lex.bg/laws/ldoc/2135453184.

⁷⁴ Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, Art. 29, www.lex.bg/laws/ldoc/2134925825.

⁷⁵ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

⁷⁶ Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, Art. 29, www.lex.bg/laws/ldoc/2134925825.

⁷⁷ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

⁷⁸ Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, Art. 28a, www.lex.bg/laws/ldoc/2134455296.

⁷⁹ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

Others	<i>e.g. special permissions to stay based on education or employment programme, etc.</i> There are no other special rules applicable to unaccompanied children reaching the age of majority.
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Chapter 5. Information society, data protection

1. Activities developed and launched by national data protection supervisory authorities (SAs) to implement and enforce the GDPR

On 24 January 2019, the parliament adopted the national legal framework for the implementation of the GDPR.⁸⁰ The new rules define a number of measures, which, according to the GDPR, are left to the discretion of Member States. One of these rules implements Art. 85 of the GDPR, which requires Member States to reconcile by law the protection of personal data with the right to freedom of expression and information.⁸¹ The provision, which defines a list of criteria to be considered when assessing the balance between data protection and freedom of expression, caused a serious public debate and, as a result, a group of 55 Member of Parliament filed an application to the Constitutional Court (CC) (*Конституционен съд*, КС) asking the Court to declare it unconstitutional. A constitutional case was officially instituted on 18 June 2019.⁸² On 15 November 2019, the Constitutional Court (CC) (*Конституционен съд*, КС) issued its decision, declaring the provision unconstitutional. According to the decision, by introducing unclear criteria of legality the provision creates unpredictability and legal uncertainty and limits the right to freedom of expression and information disproportionately to the objective pursued, in the context of journalistic expression.⁸³

The same set of amendments transposed into the national legislation the provisions of Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities. On 25 July 2019, after receiving the official notification about the implemented transposition measures, the European Commission closed the infringement case against Bulgaria, launched in 2018 for non-compliance with the transposition deadline.⁸⁴

On 19 July 2019, the Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни*, КЗЛД) adopted new internal rules on its organisation and activity.⁸⁵ The new rules envisage several changes in the organisational structure of the Commission's administration to bring it in line with

⁸⁰ Bulgaria, Amendments to the Personal Data Protection Act (*Закон за изменение и допълнение на Закона за защита на личните данни*), 26 February 2019, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=135056>.

⁸¹ Bulgaria, Personal Data Protection Act (*Закон за защита на личните данни*), 4 January 2002, Art. 25з, www.lex.bg/laws/ldoc/2135426048.

⁸² Bulgaria, Constitutional Court (*Конституционен съд*), Constitutional Case No 4/2019 (*Конституционно дело № 4/2019*), 18 June 2019, www.constcourt.bg/bg/Cases/Details/559.

⁸³ Bulgaria, Constitutional Court (*Конституционен съд*), Decision No 8 of 15 November 2019 on Constitutional Case No 4/2019 (*Решение № 8 от 15 ноември 2019 г. по конституционно дело № 4/2019*), 15 November 2019, www.constcourt.bg/bg/Acts/GetHtmlContent/865e35ff-b1b2-4a3c-8c50-449a4d887bf1.

⁸⁴ Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*), Letter No НДМСПО-17-561#1/01.10.19 to the Center for the Study of Democracy (*Писмо № НДМСПО-17-561#1/01.10.19 до Центъра за изследване на демокрацията*), 1 October 2019.

⁸⁵ Bulgaria, Rules on the Activity of the Commission for Personal Data Protection and Its Administration (*Правилник за дейността на Комисията за защита на личните данни и на нейната администрация*), 30 July 2019, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=139930>.

the amended personal data protection law as well as to improve prevention and awareness activities. The Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) reported that, in order to respond to the increased workload of its administration after the entry in force of the GDPR, capacity building activities are being planned for 2020.⁸⁶

On the occasion of the European elections in May 2019, the Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) jointly with the Central Electoral Commission (CEC) (*Централна избирателна комисия, ЦИК*) adopted new guidelines on the processing of personal data during elections. The new guidelines, which replaced the previous ones adopted in 2015, are in full compliance with the GDPR and the national implementing legislation.⁸⁷

The Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) is also implementing several projects aimed at improving the personal data protection in the country. These include the projects SMEDATA (development of innovative instruments for SMEs to comply with the GDPR)⁸⁸, e-OpenSpace (transnational cooperation for secure movement of personal data across the EU)⁸⁹, T4DATA (capacity building of data protection supervisory authorities to provide training to data protection officials of public institutions)⁹⁰ and AI-Trans (increasing AI transparency through digital alternative learning of privacy training).

Cooperation with civil society organisations is among the main strategic goals of the Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) defined in its own Strategy Horizon 2022.⁹¹ According to the action plan for the implementation of the strategy, this cooperation is implemented through meetings and joint initiatives.⁹² In 2019, the Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) cooperated with civil society organisations mainly in the framework of joint projects and events. One such project is SMEDATA (development of innovative instruments for SMEs to comply with the GDPR), which is implemented jointly by the Commission and civil society organisations such as the Union of Bulgarian Jurists (UBJ) (*Съюз на юристите в България, СЮБ*) and the European Women Lawyers Association – Bulgaria (*Европейска асоциация на*

⁸⁶ Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*), Letter No НДМСПО-17-561#1/01.10.19 to the Center for the Study of Democracy (*Писмо № НДМСПО-17-561#1/01.10.19 до Центъра за изследване на демокрацията*), 1 October 2019.

⁸⁷ Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*) (2019), Guidelines of the CEC and CPDP on the processing and protection of personal data in the election process, www.cdpd.bg/en/index.php?p=element&aid=1199.

⁸⁸ For more information about the project, see the project's website, <https://smedata.eu/index.php/bg/>.

⁸⁹ For more information about the project, see the project's website, <http://eopen.cdpd.bg/bg/>.

⁹⁰ For more information about the project, see the project's brochure, www.cdpd.bg/userfiles/file/Documents_2019/T4Data_Brochure_BG.pdf.

⁹¹ Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*) (2018), Strategy Horizon 2022, www.cdpd.bg/en/index.php?p=element&aid=1081.

⁹² Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*) (2018), Strategy Horizon 2022, Annex 1: Action plan, [www.cdpd.bg/userfiles/file/Documents_2017/Strategy_Action_Plan_En\(1\).pdf](http://www.cdpd.bg/userfiles/file/Documents_2017/Strategy_Action_Plan_En(1).pdf).

жените юристи – клон България).⁹³ A recent joint activity in the framework of the project was the international conference “SME Challenges and GDPR” held in Sofia in November 2019.⁹⁴

2. Artificial intelligence and big data

MS	Actor*	Type**	Description	Are Ethical concerns mentioned? (yes/no)	Are Human Rights issues mentioned? (yes/no)	Reference
BG	Government	Policy	Updated Strategy and Roadmap for the Development of e-Government in the Republic of Bulgaria, 2019-2023 (<i>Актуализирана стратегия и пътна карта за развитие на електронно управление в Република България, 2019-2023</i>)	Yes	Yes (right to privacy, compliance with data protection laws)	Bulgaria, State e-Government Agency (<i>Държавна агенция „Електронно управление“</i>) (2019), Updated Strategy and Roadmap for the Development of e-Government in the Republic of Bulgaria, 2019-2023 (<i>Актуализирана стратегия и пътна карта за развитие на електронно управление в Република България, 2019-2023</i>), August 2019, https://e-gov.bg/bg/news/133 .
BG			Decision No. 54 on the Adoption of a List of Data Sets in Priority Areas for Publication in Open Access on the Open Data Portal (<i>Решение №</i>	No	No	Bulgaria, Council of Ministers (<i>Министерски съвет</i>) (2019), Decision No. 54 on the Adoption of a List of Data Sets in Priority Areas for Publication in Open Access on the Open Data Portal (<i>Решение № 54 за Приемане на</i>

⁹³ For more information about the project, see the project’s website, <https://smedata.eu/index.php/bg/>.

⁹⁴ Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*) (2019), Upcoming international conference on GDPR implementation, Press release, www.cdpd.bg/en/index.php?p=news_view&aid=1575.

	Government	Act	<i>54 за Приемане на списък с набори от данни по приоритетни области, които да се публикуват в отворен формат на Портала за отворени данни)</i>			<i>списък с набори от данни по приоритетни области, които да се публикуват в отворен формат на Портала за отворени данни), 1 February 2019, https://data.egov.bg/document.</i>
BG	Government	Draft Policy	Draft National Development Programme: Bulgaria 2030 (<i>Проект на Национална програма за развитие: България 2030</i>)	Yes	Yes (privacy and data management in the area of health, development of a reliable e-Health system)	Bulgaria, Ministry of Finance (<i>Министерство на финансите</i>) (2019), Draft National Development Programme (<i>Проект на Национална програма за развитие: България 2030</i>), https://www.minfin.bg/bg/1394 .
BG	Government	Draft Act	Draft Amendment to Ordinance No. 147 on the Standard Terms and Conditions for the Reuse of Public Sector Information and Its Publication in Open Access (<i>Проект за изменение и допълнение на Наредбата за стандартните условия за повторно използване на информация от обществеността и за нейното публикуване в отворен формат</i>)	N/a	N/a	Bulgaria, State e-Government Agency (<i>Държавна агенция „Електронно управление“</i>) (2019), Letter No. 13385/1.10.2019 to the Center for the Study of Democracy (<i>Писмо № 13385/1.10.2019 до Центъра за изследване на демокрацията</i>), 2 October 2019.

BG	Government	Draft Act	Draft Amendment to the Access to Public Information Act (<i>Проектозакон за изменение и допълнение на Закона за достъп до обществена информация</i>)	N/a	N/a	Bulgaria, State e-Government Agency (<i>Държавна агенция „Електронно управление“</i>) (2019), Letter No. 13385/1.10.2019 to the Center for the Study of Democracy (<i>Писмо № 13385/1.10.2019 до Центъра за изследване на демокрацията</i>), 2 October 2019.
BG	Government	Project	Upgrade and Development of a State Hybrid Private Cloud for e-Government Needs (<i>Надграждане и развитие на Държавен хибриден частен облак за нуждите на електронното управление</i>)	Yes	Yes (right to privacy, data protection laws)	Bulgaria, State e-Government Agency (<i>Държавна агенция „Електронно управление“</i>) (2019), Letter No. 13385/1.10.2019 to the Center for the Study of Democracy (<i>Писмо № 13385/1.10.2019 до Центъра за изследване на демокрацията</i>), 2 October 2019.
BG	Academia	Study	Framework for a National Strategy for the Development of Artificial Intelligence in Bulgaria (<i>Рамка на Национална стратегия за развитие на изкуствения интелект в България</i>)	Yes	Yes (right to privacy, data protection)	Bulgaria, Ministry of Transport, Information Technology and Communications (MTITC) (<i>Министерство на транспорта, информационните технологии и съобщенията</i>) (2019), Letter No 15-00-129/13.09.2019 to the Center for the Study of Democracy (<i>Писмо № 15-00-129/13.09.2019 г. до Центъра за изследване на демокрацията</i>), 26 September 2019.
BG	Business	Report	Artificial Intelligence Ecosystem in Bulgaria (<i>Екосистемата на изкуствения интелект в България</i>)	No	No	Bulgaria, Sofia Investment Agency (<i>Столична общинска агенция за приватизация и инвестиции</i>) (2019), ‘First Report on the Growing AI Sector in Bulgaria’ (<i>Първи доклад относно нарастващия сектор на изкуствения интелект в България</i>), 24 June 2019, https://investsofia.com/en/first-report-growing-ai-sector-bulgaria-just-published/ .
BG			GATE: Big Data for Smart Society – Big Data Centre of Excellence			Bulgaria, State e-Government Agency (<i>Държавна агенция „Електронно управление“</i>) (2019), Letter No.

	Academia	Project	(GATE: Големи данни в полза на интелигентно общество – Център за върхови постижения в областта на големите данни)	Yes (the project includes a WP on ethics and data management as part of which any ethical and legal issues will be addressed)	Yes (data protection and privacy with relevance to digital health)	13385/1.10.2019 to the Center for the Study of Democracy (Писмо № 13385/1.10.2019 до Центъра за изследване на демокрацията), 2 October 2019.
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*For the actors, please pick from the following suggestions:

- Government/ Parliamentary
- DPA
- NGO/Other Non Profit
- Academia
- Domestic Courts
- Business
- Independent State Institution
- Other

** for the type, please pick from the following suggestions:

- National Draft Acts / Adopted Acts

- report/study
- other projects

3. Data retention

No new policy or legal developments were identified during 2019.

Chapter 6. Rights of the child

1. Procedural safeguards for children who are suspects in criminal proceedings

<p>Legislative changes</p>	<p><i>e.g. reform of the criminal code</i></p> <p>The Ministry of Justice (MOJ) (<i>Министерство на правосъдието, МИ</i>) reports⁹⁵ on having prepared draft amendments to the Criminal Procedure Code (<i>Наказателно-процесуален кодекс</i>) to fully transpose the requirements of Directive 2016/800. Those are planned to be submitted to the parliament until the end of 2019. The amendments foresee for cases, involving accused children, to have priority in moving through the criminal justice system. Moreover, a number of additional rights are planned for accused children: to be accompanied during court sessions and, if in their best interest and if not hampering criminal proceedings, during investigative actions by a parent, guardian or a person taking care of them by law; to have a medical check-up upon detention; to be detained only as an extreme measure, but rather be imposed other measures; to have special treatment during detention. Personality profiles will always be prepared for accused children to establish their specific needs regarding the defense on the case, continuing their education and training and effective reintegration in society. Judges and lay judges in cases against children will be obliged to have specialised training in the area of children's rights.</p>
<p>Policy developments</p>	<p><i>e.g. guidance or training for law enforcement officers on the treatment of child suspects; amendment of police academy curriculum; training of judges; developing indicators to monitor the situation of child suspects and improve data collection</i></p> <p>The Draft National Strategy for the Child 2019-2030 (<i>Проект на Национална стратегия за детето 2019-2030 г.</i>)⁹⁶ was put forward to propose an integrated work approach in all systems related to children and emphasise the link between the well-being of the child and that of the family, as well as the need to develop competencies, related to children's upbringing, adequate support to families and prevention of separation of children from families. The document also proposed a holistic approach for the human resourcing and development of training, support, qualification and constant improvement of the knowledge and skills of specialists, working with children. Measures were proposed to improve data collection and information systems in all sectors related to children to allow evidence based policies and interventions.</p>

⁹⁵ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

⁹⁶ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012.

The document has determined the creation and implementation of adapted measures for the participation of children in administrative, civil and criminal proceedings as one of its overarching measures and the creation of a working system for juvenile justice in accordance with children's rights and international practices and standards as part of its operative goals.⁹⁷ In its analysis of the environment, the Strategy brings up the necessity to find a comprehensive legislative solution to the discrepancy between the Bulgarian legislative system and international and European standards in relation to children that are under the minimum criminal responsibility age, as well as to continue developing legislative amendments that will guarantee children's rights, including the rights of children who are suspected or accused of crime.⁹⁸ The PULSE Foundation (*Фондация „П.У.Л.С.“*), among other organisations, issued a statement with regard to the Strategy, mainly supporting the document's goals, including its part focused on guaranteeing the right of every child to live in a secure and safe environment, the prevention and protection against violence and other harmful activities, and the effective access to justice.⁹⁹ However, the Strategy has still not been adopted and has caused a heated public debate, including accusations of undermining 'traditional Bulgarian values'.¹⁰⁰ Among the accusations were claims for 'full institutionalisation' of Bulgarian families and 'gross intervention' (*грубо вмешателство*) in the families' decisions for the upbringing and education of children.¹⁰¹ Further, the document was accused of introducing unclear criteria for implementing strategic policies for children's well being which may lead to discretionary and incorrect implementation; parents' and families' functions were allegedly 'expropriated' and given to the state, institutions, municipalities and NGOs.¹⁰² As a result, the draft Strategy was withdrawn and work on it was stopped.¹⁰³

⁹⁷ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 36-37.

⁹⁸ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 56.

⁹⁹ Bulgaria, PULSE Foundation (*Фондация „П.У.Л.С.“*) (2019), Statement of the PULSE Foundation on the National Strategy for the Child 2019-2030 (*Позиция на Фондация „П.У.Л.С.“ за Национална стратегия за детето 2019-2030 г.*), 29 January 2019, www.pulsfoundation.org/actual/positions/151-pozicia-nsd-2019.html.

¹⁰⁰ See, for example, Bulgaria, National Network for Children (*Национална мрежа за децата*) (2019), The National Network for Children sent an open letter to Bulgarian politicians on the Children's Strategy (*Национална мрежа за децата изпрати отворено писмо към българските политици по повод Стратегията за детето*), 24 April 2019, <https://nmd.bg/natsionalna-mrezha-za-detsata-izprati-otvoreno-pismo-kam-balgarskite-polititsi-po-povod-strategiyata-za-deteto/>.

¹⁰¹ Bulgaria, Grand Mufti's Office (*Главно мюфтийство*) (2019), The National Strategy for the Child 2019-2030 or when the road to hell is paved with good intentions („Национална стратегия за детето 2019-2030“ или когато пътят към ада бива постлан с „добри“ намерения), www.grandmufti.bg/bg/home/news-room/novini/7471-natsionalna-strategiya-za-deteto-2019-2030-ili-kogato-pyat-kam-ada-biva-postlan-s-dobri-namereniya.html?fbclid=IwAR1fWvfvviUUIT9m1SKxv4MyKOMQRjvpissweE_J3bX2gwWja843qBuQUqA.

¹⁰² Bulgaria, Protection of Children's Rights Foundation (*Фондация „Защита правата на децата“*) (2019), Statement on the National Strategy for the Child 2019-2030 (*Становище относно „Национална стратегия за детето 2019-2030 г.“*), 9 April 2019, <http://zpd.bg/2019/04/09/становище-относно-национална-страт/>.

¹⁰³ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019) Biser Petkov: Pulling a child's ear cannot be a reason for taking a child out of a family (*Бисер Петков: Издърпването на ухо не може да бъде причина за отнемане на дете*), 11 June 2019, www.mlsp.government.bg/index.php?section=CONTENT&I=789.

	<p>The Ministry of the Interior (MoI) (<i>Министерство на вътрешните работи</i>, МВР) reports¹⁰⁴ on continuously including in the MoI Academy (MOIA) (<i>Академия на МВР</i>, АМВР) curricula for investigative police and inspectors from the special juvenile justice units, the children’s pedagogical rooms (<i>детски педагогически стаи</i>), topics on how to work with children suspected or accused of crime. Each year the Academy organises continuing qualification courses, devoted to the investigation of crimes committed by children. In 2018/2019 the Academy trained 285 investigative police officers and inspectors from children’s pedagogical rooms, which were also certified to work with children. Juvenile justice topics are included under the elective course ‘Prevention of anti-social behaviour of minors and juveniles’ (<i>Превенция на противообществените прояви на малолетни и непълнолетни</i>). Trainees are also taught about alternative measures, concerning children suspects and accused, including alternatives to detention. In 2018/2019 such topics were taught to 32 inspectors from children’s pedagogical units and 38 students.</p> <p>At the end of 2018 the National Police General Directorate (GDNP) (<i>Главна дирекция „Национална полиция“</i>, ГДНП) closed a project on improving child protection and prevention of juvenile crime under the Bulgarian-Swiss co-operation programme. Under the project, an automated information system for countering juvenile crime and child protection (<i>автоматизирана информационна система за противодействие на детската престъпност и закрила на детето</i>, АИС ПДПЗД), where cases of unlawful activities by children, events involving children at risk and children victims of crime are registered.¹⁰⁵</p>
<p>Other measures or initiatives</p>	<p><i>E.g. relevant activities to promote alternatives to detention; community involvement or general initiatives related to the dissemination and information in relation to the entering into force of the Directive.</i></p> <p>At a conference in June 2019,¹⁰⁶ representatives of the judiciary and the educational system, as well as other institutions and organisations, reported on the fifth anniversary of the Judiciary – Informed Choice and Civic Trust – Open Courts and Prosecutor’s Offices Educational Programme (<i>Образователна програма „Съдебната власт – информиран избор и гражданско доверие. Отворени съдилища и прокуратури“</i>) for schools. The conference noted that knowledge</p>

¹⁰⁴ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

¹⁰⁵ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

¹⁰⁶ Bulgaria, National Network for Children (*Национална мрежа за децата*) (2019), Magistrates and educational specialists appealed for expansion of the scope and activities of the Educational programme for the judiciary (*Магистрати и педагози поискаха разширяване обхвата и дейностите по Образователната програма на съдебната власт*), 18 June 2019, <https://nmd.bg/magistrati-i-pedagozi-poiskaha-razshiravane-obhvata-i-deynostite-po-obrazovatelната-programa-na-sadebnata-vlast/>.

	about laws and prevention of juvenile crime, as well as access to justice, are the avenues to strengthen the rule of law among children. Officials planned to expand the programme to students of lower age and to further build the capacity of participating teachers and magistrates.
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2. Legal and policy measures or initiatives developed about child internet safety

The Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*)¹⁰⁷ illustrates that the State's awareness of the expanding risks children are facing when using the internet, especially when it comes to sexual exploitation.¹⁰⁸ The Strategy implies that forming new technological skills related to the use of internet is one of the document's goals.¹⁰⁹ Further, the Strategy includes internet operators in the process of increasing the safety of children in the digital environment through campaigns aimed at developing digital competencies for them and their parents.¹¹⁰ Overall, acquiring digital competencies is emphasised throughout the Strategy. For instance, one of the operative goals of the document – guaranteeing access to quality education and acquiring skills and competencies for full inclusion in the society – covers the creation of adequate conditions for developing digital knowledge and skills, as well as competencies for civic participation.¹¹¹ Another operative goal is guaranteeing the right to every child to a safe environment, prevention and protection against violence and other harmful activities, and effective access to justice. Within that goal, one of the measures is to improve the societal engagement with issues related to the safe use of internet for children and adopting standards for informational and digital security.¹¹²

For a fifth consecutive year, The Bulgarian Safer Internet Centre and Telenor Bulgaria announced the call for requests for free trainings of students under their joint programme Cyberscout. The trainings will take place between 16 September 2019 and 1 July 2020 and will last for two full days. The sessions will also cover teachers' training to support cyberscouts' activities among other students. Since the programme's inception in 2015, 1200 students from around 60 territorial establishments throughout the country have been trained and certified.¹¹³

In the area of child internet safety, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) reports¹¹⁴ on organising in February 2019 a campaign on raising the awareness about the need to unite the efforts of public organisations, state institutions and businesses to turn the internet into a safer place for children. A meeting was organised, entitled Life is precious –

¹⁰⁷ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012.

¹⁰⁸ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 55.

¹⁰⁹ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 62.

¹¹⁰ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 63.

¹¹¹ Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 30.

¹¹² Bulgaria (2019) Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2030 г.*), 10 January 2019, www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4012, p. 37-38.

¹¹³ Bulgaria, Bulgarian Safer Internet Centre (*Национален център за безопасен интернет*) (2019), Call for requests from school under the Cyberscout training programme (*Конкурс за заявки от училищата за обучителната програма „Киберскаут“*), 12 July 2019, www.safenet.bg/bg/novini/434-nov-konkurs-kiberskaut.

¹¹⁴ Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2019), Letter No 48-05-33#1/19.09.2019 to the Center for the Study of Democracy (*Писмо № 48-05-33#1/19.09.2019 до Центъра за изследване на демокрацията*), 19 September 2019.

do not risk! (*Животът е ценен – не рискувай!*) where educational officials and students shared their experience on safe internet communication and preventing risk behaviour in the digital environment. Safety rules for children and students in the digital networks in the kindergartens and schools, and on the internet, were also presented and later distributed throughout schools. Good school practices for ethical online behaviour and safety rules against cyberbullying and other threats, as well as a special mobile app, were discussed. The Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОИ*) further reports¹¹⁵ that it has specially included cyberbullying as a form of violence in its existing Mechanism for Countering Bullying and Violence in the Institutions of Pre-School and School Education (*Механизъм за противодействие на тормоза и насилието в институциите в системата на предучилищното и училищното образование*), thus it collects data and trains teachers and raises students' awareness in the area. The rising numbers of school psychologists and educational advisors also contribute to the counteraction of cyberbullying. New curricula on computer modelling and information technologies enter into force as of 2019/2020 school year for students in 4th and 10th grade where the topic of internet safety is discussed.

Regarding the transposition of the Audiovisual Directive, the Council for Electronic Media (CEM) (*Съвет за електронни медии, СЕМ*) informs¹¹⁶ that the Ministry of Culture (MC) (*Министерство на културата, МК*) has convened a working group to amend the Radio and Television Act (*Закон за радиото и телевизията*) to fully transpose the Directive. No other specific aspects of national law to be amended to transpose the Directive have been publicised.

The Council¹¹⁷ applies constant monitoring over media services for compliance with child protection norms and the criteria for assessment of content harmful for children's development. In 2019 three sanctions were imposed for violating the personal sphere of a child; two sanctions, regarding distribution of audiovisual works unsuitable for children without proper identification and/or outside the interval 10PM-6AM; and one sanction for a programme component possibly harmful for children's development being broadcast outside the suitable hour zones.

¹¹⁵ Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*) (2019), Letter No 16-996/15.09.2019 to the Center for the Study of Democracy (*Писмо № 16-996/25.09.2019 до Центъра за изследване на демокрацията*), 25 September 2019.

¹¹⁶ Bulgaria, Council for Electronic Media (*Съвет за електронни медии*) (2019) Letter No НД-06 21-00-55/15.10.2019 to the Center for the Study of Democracy (*Писмо № НД-06 21-00-55/15.10.2019 до Центъра за изследване на демокрацията*), 15 October 2019.

¹¹⁷ Bulgaria, Council for Electronic Media (*Съвет за електронни медии*) (2019) Letter No НД-06 21-00-55/15.10.2019 to the Center for the Study of Democracy (*Писмо № НД-06 21-00-55/15.10.2019 до Центъра за изследване на демокрацията*), 15 October 2019.

Chapter 7. Access to justice including crime victims

1. Victims' Rights Directive

By a much awaited legislative package, amendments were adopted by the National Assembly (NA) (*Народно събрание*, HC) to strengthen the protection of women against violence (see section on violence against women below).¹¹⁸ Procedure-wise, the amendments provide for informing a victim with special protection needs if the suspect/accused is released or escapes from detention in custody or prison.

The Ministry of Justice (MoJ) (*Министерство на правосъдието*, МИП) reports¹¹⁹ on forming, in April 2019, of a working group to further transpose the Victims' Rights Directive in the Criminal Procedure Code (*Наказателно-процесуален кодекс*). Some of the main points of the planned amendments are:

- to ensure the victim's right to be accompanied by a person of his/her choice;
- to limit the possibilities for further or additional questionings of the victim as witness;
- the questioning of children victims to be always accompanied by measures to avoid contact with the defendant;
- to create a possibility for a specialised children social worker to be present during the questioning of children victims to also support all investigative actions involving such children;
- to provide for individual assessment of the victim's needs, without undue delay after the first contact with the competent authority – the assessment should cover his/her physical and mental status after the crime and determine his/her specific protection needs; the order for such assessment should be contained in a new chapter of the Support and Financial Compensation of Victims of Crime Act (*Закон за подпомагане и финансова компенсация на пострадали от престъпления*);
- to ensure the possibility for family members having sustained material or non-material damage from the crime to also receive support under the victim protection legislation.

The Ministry of Justice (MoJ) (*Министерство на правосъдието*, МИП) further reports¹²⁰ that after the procurement notice for ensuring support to victims in four, out of the five in total, Bulgarian appellate regions (see contribution to previous annual report), the winning tenderer was the Association of Women Attorneys (*Асоциация на жените-адвокати*) which will cover two of the regions where providers were sought – Varna and Veliko Tarnovo. For two other regions, Burgas and Plovdiv, no bids were submitted, which effectively left them without state-financed victim support services.¹²¹ The Sofia appellate region had been previously contracted to the Centre Nadja Foundation (*Фондация „Център Надя“*).¹²² The Association of Women Attorneys was officially contracted in August 2019 for a period

¹¹⁸ Bulgaria, National Assembly (*Народно събрание*) (2019), Amendments and Supplements to the Criminal Code Act (*Закон за изменение и допълнение на Наказателния кодекс*), 22 February 2019, <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=134676>.

¹¹⁹ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹²⁰ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹²¹ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Decision No ЛС-07-59/11.06.2019 (*Решение № ЛС-07-59/11.06.2019*), 11 June 2019, <http://profile.mjs.bg/data/2019/06/11/Reshenie%20za%20profil.pdf>.

¹²² Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2018), Contract No 93-00-296/21.08.2018 (*Договор № 93-00-296/21.08.2018*), 21 August 2018, <http://profile.mjs.bg/data/2019/08/22/Dogovor.pdf>.

of 24 months. The contact details of the organisation will also be included into the official information form to be given to victims under the victim protection legislation.¹²³

A number of developments throughout the year concerned the rights of victims of human trafficking.

In August 2019 the government introduced draft amendments to the Combatting Trafficking in Human Beings Act (*Закон за борба с трафика на хора*).¹²⁴ The amendments were introduced in order to meet Bulgaria's international law commitments, as well as to clear up some contradictions within the national regulations. Further, the amendments are related to the further development of the institutional framework for the fight against human trafficking, as well as to the National Mechanism for Referral and Support of Victims of Trafficking (*Национален механизъм за насочване и подпомагане на жертви на трафик*). More specifically, the draft specifies that the period of accommodation of victims for their rehabilitation is the minimum period in the CoE Anti-Trafficking Convention – 30 days, and adds to the rights of the victim of trafficking legal and linguistic assistance during the period of accommodation. Additionally, the National Commission for Combatting Trafficking in Human Beings (NCCTHB) (*Национална комисия за борба с трафика на хора, НКБТХ*) is given national rapporteur status and specific responsibilities for collection and analysis of data. Other amendments concern the introduction of a specialised reintegration service that goes beyond the primary period for rehabilitation.¹²⁵ The draft passed second reading on 3 October 2019 and is currently awaiting promulgation in the State Gazette (*Държавен вестник*).¹²⁶

In terms of policy developments, the National Programme for Prevention and Combatting Human Trafficking, and the Protection of Victims for 2019 (*Национална програма за предотвратяване и противодействие на трафика на хора и закрила на жертвите за 2019 г.*)¹²⁷ traditionally focused on raising society's awareness about issues related to human trafficking, and developing the capacity of specialists in the field of combatting human trafficking and victim protection. Further goals are overcoming the consequences of human trafficking and the reintegration of victims through support, assistance and protection, as well as observing the tendencies affecting the crime of human trafficking, its prevention and the best ways to combat it. Additionally, the Programme focuses on improving international cooperation through the exchange of good practices, as well as on the improvement of the legislative framework to raise the effectiveness of combatting human trafficking in Bulgaria.

In an international conference on anti-LGBT hate crime, organised by the GLAS Foundation (*Фондация GLAS*) and international partners in September 2019, the audience was acquainted with

¹²³ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹²⁴ Bulgaria, National Assembly (*Народно събрание*) (2019), Draft Amendments and Supplements to the Combatting Trafficking in Human Beings Act (*Законопроект за изменение и допълнение на Закона за борба с трафика на хора*), 8 July 2019, www.parliament.bg/bg/bills/ID/157062/.

¹²⁵ Bulgaria, National Assembly (*Народно събрание*) (2019), Draft Amendments and Supplements to the Combatting Trafficking in Human Beings Act (*Законопроект за изменение и допълнение на Закона за борба с трафика на хора*), 8 July 2019, www.parliament.bg/bg/bills/ID/157062/, Reasoning to the Draft Amendments and Supplements to the Combatting Trafficking in Human Beings Act (*Мотиви към Проекта на Закон за изменение и допълнение на Закона за борба с трафика на хора*).

¹²⁶ Bulgaria, National Assembly (*Народно събрание*) (2019), Draft Amendments and Supplements to the Combatting Trafficking in Human Beings Act (*Законопроект за изменение и допълнение на Закона за борба с трафика на хора*), 8 July 2019, www.parliament.bg/bg/bills/ID/157062/, Reasoning to the Draft Amendments and Supplements to the Combatting Trafficking in Human Beings Act (*Мотиви към Проекта на Закон за изменение и допълнение на Закона за борба с трафика на хора*).

¹²⁷ Bulgaria, Council of Ministers (*Министерски съвет*) (2019), National Programme for the Prevention and Combatting Human Trafficking, and the Protection of Victims for 2019 (*Национална програма за предотвратяване и противодействие на трафика на хора и закрила на жертвите за 2019 г.*), 1 March 2019, www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=1266.

latest EU developments and good practices in combating such crime. Among the topics discussed were reporting on such acts, victim support services, working with police, etc.¹²⁸

2. Violence against women

As the Istanbul Convention was recently pronounced unconstitutional by the Bulgarian Constitutional Court (*Конституционен съд*) (please see contribution to previous annual report), legislative amendments were adopted to nevertheless strengthen the protection of women against violence.¹²⁹ Domestic violence was proclaimed aggravating circumstance for murder, incitement towards suicide, bodily injury, kidnapping, illegal deprivation of liberty, coercion, threat to commit a crime against someone. In a special provision, it was defined as systematic physical, sexual, or mental violence, economic dependence, forceful limitation of personal life, freedom and rights against a relative, (ex-)spouse, person with whom the perpetrator has a child, (ex-)co-habitant or person with whom the perpetrator lives or has lived in the same household. The amendments marked the definition and criminalisation of stalking and took a step towards ex officio penalisation of all medium bodily injuries¹³⁰ between relatives and spouses, but still left those in a state of vexation (strong irritation) caused by the victim committing violence, serious insult, defamation or another illegal act to be tried upon complaint by the victim. Forced marriages were further criminalised. Whereas non-compliance with domestic violence protection orders and European Protection Orders had been criminalised previously, aggravated punishment for repeated non-compliance was provided for.¹³¹

In its annual report¹³², the Bulgarian Helsinki Committee (BHC) (*Български хелзинкски комитет*, БХК) pointed out the ‘failure’ to ratify the Istanbul Convention and the subsequent introduction of the legislative amendments, reviewed above. According to the BHC, the amendments aimed to substitute the lack of ratification of the Convention, but did not tackle the issue of violence against women nearly at all because it did not address the notions of gender-based violence or gender stereotyping, and required the violence to be ‘systematic’.¹³³ The organisation criticises the parliamentary debate on the amendments due to a demonstrated lack of knowledge on the issue, as well as sexist comments and ‘normalising’ of violence.¹³⁴

¹²⁸ Bulgaria, GLAS Foundation (*Фондация GLAS*) (2019), International conference on anti-LGBT hate crime (*Международна конференция за анти-ЛГБТИ престъпленията от омраза*), 17 March 2019, <https://glasfoundation.bg/mezhdunarodna-konferentsia-za-anti-lgbti-prestapleniata-ot-omraza/>.

¹²⁹ Bulgaria, National Assembly (*Народно събрание*) (2019), Amendments and Supplements to the Criminal Code Act (*Закон за изменение и допълнение на Наказателния кодекс*), 22 February 2019, <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=134676>.

¹³⁰ Lasting weakening of sight or hearing, lasting impairment of speech, movement of limbs, torso or neck, of the functions of sexual organs without causing loss of reproductive capabilities; breaking of a jaw or taking off teeth hindering chewing and speaking; disfigurement of face or other parts of the body; permanent impairment of health, which is not life threatening or impairment of health temporarily threatening life; injuries entering the skull, chest or stomach (Art. 129, para. 2 of the Criminal Code).

¹³¹ Bulgaria, National Assembly (*Народно събрание*) (2019), Amendments and Supplements to the Criminal Code Act (*Закон за изменение и допълнение на Наказателния кодекс*), 22 February 2019, <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=134676>.

¹³² Bulgaria, Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2019), Human Rights in Bulgaria in 2018 (*Правата на човека в България през 2018 г.*), www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf.

¹³³ Bulgaria, Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2019), Human Rights in Bulgaria in 2018 (*Правата на човека в България през 2018 г.*), www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf, p. 120-121.

¹³⁴ Bulgaria, Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2019), Human Rights in Bulgaria in 2018 (*Правата на човека в България през 2018 г.*), www.bghelsinki.org/media/uploads/annual_reports/annual-bhc-report-2018-issn-2367-6930-bg.pdf, p. 121.

The Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) reports¹³⁵ on creating an interinstitutional working group to prepare amendments to the Protection against Domestic Violence Act (*Закон за защита от домашното насилие*) until 2 March 2020. A new chapter will be added, regulating prevention and education to counter domestic violence. A mechanism will be introduced for a co-ordinated approach and co-operation among competent authorities. Specialised services for victims will be further regulated. A central register of domestic violence cases will be created.

The Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) further reports¹³⁶ on procuring the service of the National Telephone Line for Victims of Domestic Violence (*Национална телефонна линия за пострадали от домашно насилие*) - 0800 1 8676 - to the Animus Association Foundation (*Фондация „Асоциация Анимус“*) for a year as of February 2019. The line claims to have processed over 30,000 calls in over 20 years.¹³⁷ Eleven projects of a total value of BGN 440,000 were financed in the annual call for proposals for services for victims and perpetrators of domestic violence. The organisations financed were: Foundation Centre Nadja (*Фондация „Център Надя“*) in Sofia and Rousse, the Demetra Association (*Асоциация „Деметра“*), the Naia Association (*Асоциация „Ная“*), the Crime Prevention Fund - IGA (*Фонд за превенция на престъпността - ИГА*), the P.U.L.S.E. Foundation (*Фондация „П.У.Л.С.“*), the Centre for Creative Justice (*Център за съзидателно правосъдие*), Youth Forum 2001 - Razgrad (*Младежки форум 2001 - Разград*), H&D Gender Perspectives (*Х&Д Джендър Перспективи*), the Alliance for Protection against Gender-Based Violence (*Алианс за защита срещу насилие, основано на пола*), the Gender Alternatives Foundation (*Фондация „Джендър алтернативи“*). Their projects included specialised programmes for victims and perpetrators of domestic violence.¹³⁸

The Ministry of the Interior (MoI) (*Министерство на вътрешните работи*, МВР) reports¹³⁹ on including, like in previous years, the protection of victims of domestic violence and cases of gender-based violence at length in the curriculum of the MoI Academy (MOIA) (*Академия на МВР*, АМВР). In the course on police law, consisting of 45 hours of lectures and 30 hours of exercises, special attention is given to the tolerant and understanding attitude of police towards victims of gender-based violence. Actions of police in cases of domestic violence and police protection of children are tackled specifically in the course on protection of public order, consisting of 45 hours of lectures and 45 hours of exercises. Specifically for 2019, the master's programme on public administration included a subject on protection against discrimination, where the protection of victims of hate crime and gender-based violence was covered.¹⁴⁰

¹³⁵ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹³⁶ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹³⁷ Please see the presentation of the line at <https://animusassociation.org/programi-uslugi/goresha-linia/>.

¹³⁸ Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2019), Letter No 66-00-200/19/03.10.2019 to the Center for the Study of Democracy (*Писмо № 66-00-200/19/03.10.2019 до Центъра за изследване на демокрацията*), 3 October 2019.

¹³⁹ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

¹⁴⁰ Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2019), Letter No 812100-14498/01.10.2019 to the Center for the Study of Democracy (*Писмо № 812100-14498/01.10.2019 до Центъра за изследване на демокрацията*), 1 October 2019.

In a joint project of the Demetra Association (*Асоциация „Деметра“*), police and the Sofia-based biggest emergency hospital in Bulgaria Pirogov,¹⁴¹ hospital employees will be trained to recognize domestic violence victims and react within the first hours after the act. Thanks to this effort, victims will be referred for certification and treatment of their injuries within 15-30 minutes by trained employees available round the clock. For a three-month period after 1 July 2019 thirty victims have used the service, the majority of whom were between 23 and 68 years of age, women, mostly victims of physical violence, half were referred to procedures for judicial protection orders.¹⁴² A similar hospital centre will be opened in Plovdiv.¹⁴³

In terms of capacity building, The Alliance for Protection against Gender-based Violence (*Алианс за защита от насилие, основано на пола*) has commenced the implementation of the project ‘Domestic violence – a problem for society. Strategies for social and legal assistance, as well as for improving the enforceability of the Protection against Domestic Violence Act’ (*Домашното насилие - проблем на обществото. Стратегии за социална и правна подкрепа, както и за подобряване на правоприлагането по Закона за защита от домашното насилие*), financed by the Ministry of Justice (MoJ) (*Министерство на правосъдието, МП*). The project covered the period 21 May – 21 November 2019. In Sofia, programmes for empowerment, psychological and legal support of victims of domestic violence were implemented. A specialised programme for perpetrators was also rolled out. A telephone line for consulting victims served as a virtual consultation room for victims from areas where no active services were offered, a consultative line was offered for perpetrators too. The project also monitored and analysed the application of legislation concerning domestic violence in three Bulgarian regions and organised training seminars for magistrates there.¹⁴⁴

Further, the Krastyo Tzonchev Centre for the Training of Attorneys (*Център за обучение на адвокати „Кръстю Цончев“*) organised in June 2019, together with the Smolyan bar association, a seminar in Italy on domestic violence.¹⁴⁵ Another seminar on domestic violence through the prism of civil and criminal procedure law was organised in September 2019.¹⁴⁶

¹⁴¹ Bulgaria, Pirogov University Multi-Profile Hospital for Active Treatment and Emergency Medicine (*Университетска многопрофилна болница за активно лечение и спешна медицина „Пирогов“*) (2019), Pirogov and the Demetra Association train hospital employees on how to recognize victims of domestic violence (*“Пирогов” и асоциация ДЕМЕТРА обучават служителите на болницата как да разпозват жертви на домашно насилие*), https://pirogov.eu/bg/pirogov-i-asotsiatsiia-demetra-obuchavat-sluzhiteli-na-bolnitsata-kak-da-razpozvat-zhertvi-na-doshno-nasilie_p1782.html.

¹⁴² Center for the Study of Democracy (2019), Protection of women victims of crime, 5 November 2019, <https://csd.bg/events/event/protection-of-women-victims-of-crime/>.

¹⁴³ Bulgaria, NGO BG info (2019), Consultations on domestic violence are provided by the Gender Alternatives Foundation in Plovdiv (*Консултации за домашното насилие осигурява фондация „Джендър алтернативи“ в Пловдив*), 13 June 2019, www.ngobg.info/bg/news/117711-консултации-за-домашното-насилие-осигурява-фондация-джендър.html.

¹⁴⁴ Bulgaria, Alliance for Protection against Gender-based Violence (*Алианс за защита от насилие, основано на пола*) (2019), Domestic violence – a problem for society. Strategies for social and legal assistance, as well as for improving the enforceability of the Protection against Domestic Violence Act (*Домашното насилие - проблем на обществото. Стратегии за социална и правна подкрепа, както и за подобряване на правоприлагането по Закона за защита от домашното насилие*), May 2019, www.alliancedv.org/articles/домашното-насилие-проблем-на-обществото-стратегии-за-социална-и-правна-подкрепа-както-и-за-подобряване-на-правоприлагането-по-закона-за-защита-от-домашното-насилие-436.

¹⁴⁵ Bulgaria, Krastyo Tzonchev Centre for the Training of Attorneys (*Център за обучение на адвокати „Кръстю Цончев“*) (2019), Travelling joint seminar together with the Smolyan Bar Association on domestic violence, taking place in the Republic of Italy (*Място на провеждане: Република Италия. Пътуващ съвместен семинар с АК Смолян на тема: „Домашното насилие“*), 6-11 June 2019, <http://advocenter-bg.com/event/mjasto-na-provezhdane-republika-italija-ptuvashh-svmestens-seminar-s-ak-smoljan-na-tema-domashnoto-nasilie/>.

¹⁴⁶ Bulgaria, Krastyo Tzonchev Centre for the Training of Attorneys (*Център за обучение на адвокати „Кръстю Цончев“*) (2019), Seminar on domestic violence through the prism of civil and criminal procedure law, taking place in the Krastyo Tzonchev centre for training of attorneys (*Място на провеждане: ЦОА „Кръстю Цончев“. Семинар на тема: „Домашното насилие – през призмата на гражданското и наказателното производство“*), 11 September 2019, <http://advocenter-bg.com/event/mjasto-na-provezhdane-coa-krstju-conchev-seminar-na-tema-domashnoto-nasilie-prez-prizmata-na-grazhdanskoto-i-nakazatelnoto-proizvodstvo/>.

Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

1. CRPD policy & legal developments

In December 2018, the National Assembly (*Народно събрание*) adopted two legal acts that are pertinent to the national implementation of the Convention on the Rights of Persons with Disabilities (CRPD). One is the Persons with Disabilities Act (*Закон за хората с увреждания*)¹⁴⁷ adopted on 5 December 2018 and the other is the Personal Assistance Act (*Закон за личната помощ*)¹⁴⁸ adopted on 6 December 2018.

The Persons with Disabilities Act (*Закон за хората с увреждания*) aims to promote, protect, and guarantee the full and effective exercise of the rights and freedoms of persons with disabilities (Art. 2 (1)).¹⁴⁹ The Act defines the institutional framework for the implementation of national policy regarding persons with disabilities, the rules and procedures for conducting an individual needs assessment, and the measures in place for supporting the social integration of persons with disabilities. Under the Act, the Minister of Labour and Social Policy (*Министър на труда и социалната политика*) coordinates the national implementation of the Convention on the Rights of Persons with Disabilities (CRPD) (Art. 9 (7)). The Minister is assisted by the Policy for People with Disabilities, Equal Opportunities and Social Benefits Directorate (*Дирекция “Политика за хората с увреждания, равни възможности и социални помощи”*) of the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) and the Agency for People with Disabilities (APD) (*Агенция за хората с увреждания*, АХУ).

The Act makes provisions for the establishment of a Council for Oversight (*Съвет за наблюдение*) which promotes, protects, and monitors the implementation of the CRPD (Art. 11). The Council for Oversight (*Съвет за наблюдение*) comprises nine members as follows: two members nominated by the Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*), two members nominated by the Commission for Protection against Discrimination (*Комисия за защита от дискриминация*), four members nominated by organisations of and for persons with disabilities, and one member nominated by the Bulgarian Academy of Sciences (*Българска академия на науките*) (Art. 12 (1)). The rules and procedures for nomination and selection of Council members representing organisations of and for persons with disabilities are laid out in the Rules for Application of the Persons with Disabilities Act (*Правилник за прилагане на Закона за хората с увреждания*).¹⁵⁰

The Council operates on a four-year mandate (Art. 12 (2)). The first meeting of the Council for Oversight (*Съвета за наблюдение*) took place on 8 July 2019.¹⁵¹

¹⁴⁷ Bulgaria, National Assembly (*Народно събрание*) (2018), Persons with Disabilities Act (*Закон за хората с увреждания*), 5 December 2018, www.parliament.bg/bg/laws/ID/78250.

¹⁴⁸ Bulgaria, National Assembly (*Народно събрание*) (2018), Personal Assistance Act (*Закон за личната помощ*), 6 December 2018, www.parliament.bg/bg/laws/ID/78259.

¹⁴⁹ Bulgaria, National Assembly (*Народно събрание*) (2018), Persons with Disabilities Act (*Закон за хората с увреждания*), 5 December 2018, www.parliament.bg/bg/laws/ID/78250.

¹⁵⁰ Bulgaria, Council of Ministers (*Министерски съвет*), Decree No 65 on the Adoption of Rules for Application of the Persons with Disabilities Act (*Постановление №65 за приемане на Правилник за прилагане на Закона за хората с увреждания*), 29 March 2019, <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=136329>.

¹⁵¹ Bulgaria, Ombudsman of the Republic of Bulgaria, ‘Maya Manolova insists on urgent revision of the Persons with Disabilities Act, causing damages to over 33 000 people’ (*„Мая Манолова настоява за спешен ремонт на Закона за хората с увреждания, оцелява над 33 000 души“*), Press release, 8 July 2019, www.ombudsman.bg/news/5149?page=3#middleWrapper.

The Persons with Disabilities Act (*Закон за хората с увреждания*) contains provisions for the operation of the National Council for Persons with Disabilities (*Национален съвет за хората с увреждания*) (Art. 17). The National Council serves as a conduit in the process of inter-agency cooperation for the implementation of national policy concerning persons with disabilities (Art. 17). Together with the Council for Oversight (*Съвета за наблюдение*), the National Council seeks to implement Art. 33 (3) of the CRPD by ensuring the participation of civil society and in particular persons with disabilities and their representative organisations in the process of the implementation and monitoring of national policies concerning the rights of persons with disabilities.¹⁵²

With regard the procedure for conducting individual needs assessment stipulated in the Persons with Disabilities Act (*Закон за хората с увреждания*), in June 2019 the Council of Ministers (*Министерски съвет*) adopted a Decree on the Amendment of the Ordinance on the Medical Expert Assessment (*Постановление за изменение и допълнение на Наредбата за медицинската експертиза*).¹⁵³ The need for the amended Ordinance on the Medical Expert Assessment (*Наредба за медицинската експертиза*) has been established following an impact analysis of the methodology for assessing the level of individual ability to work of persons with multiple health conditions leading to disabilities. The adopted amendments aim to make to existing assessment methodology more precise, traceable, and transparent.¹⁵⁴

In July 2019, the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) issued an Ordinance on the Rules and Procedures for Oversight of the Provision and Maintenance of Aids, Devices, Equipment, and Medical Products for Persons with Disabilities (*Наредба за условията и реда за осъществяване и контрол на дейностите по предоставяне и ремонт на помощни средства, приспособления, съоръжения и медицински изделия за хората с увреждания*).¹⁵⁵ The Ordinance defines the functions and responsibilities of the Agency for Social Assistance (*Агенцията за социално подпомагане*) and the Agency for People with Disabilities (APD) (*Агенцията за хората с увреждания*, АХУ) regarding the oversight of the provision and maintenance of aids, devices, equipment, and medical products for persons with disabilities as stipulated in the Persons with Disabilities Act (*Закон за хората с увреждания*).

The Personal Assistance Act (*Закон за личната помощ*) sets up a support mechanism that protects and guarantees the exercise of the rights and freedoms of persons with disabilities.¹⁵⁶ Personal assistance is provided in accordance with the individual needs assessment conducted under the Persons with Disabilities Act (*Закон за хората с увреждания*). In June 2019, the Ministry of Labour and Social

¹⁵² Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Letter No. 39-266 to the Center to the Study of Democracy (*Писмо № 39-266 до Центъра за изследване на демокрацията*), 27 September 2019.

¹⁵³ Bulgaria, Ministry of Health (*Министерство на здравеопазването*), ‘The Council of Ministers adopted a Decree on the Amendment of the Ordinance on the Medical Expert Assessment’ (*„Министерският съвет прие постановление за изменение и допълнение на Наредбата за медицинската експертиза“*), Press release, 5 June 2019, www.mh.government.bg/bg/novini/aktualno/ministerskiyat-svet-prie-postanovlenie-za-izmeneni/.

¹⁵⁴ Bulgaria, Ministry of Health (*Министерство на здравеопазването*), ‘The Council of Ministers adopted a Decree on the Amendment of the Ordinance on the Medical Expert Assessment’ (*„Министерският съвет прие постановление за изменение и допълнение на Наредбата за медицинската експертиза“*), Press release, 5 June 2019, www.mh.government.bg/bg/novini/aktualno/ministerskiyat-svet-prie-postanovlenie-za-izmeneni/.

¹⁵⁵ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ordinance No RD-07-8 on the Rules and Procedures for Oversight of the Provision and Maintenance of Aids, Devices, Equipment, and Medical Products for Persons with Disabilities (*Наредба № РД-07-8 за условията и реда за осъществяване и контрол на дейностите по предоставяне и ремонт на помощни средства, приспособления, съоръжения и медицински изделия за хората с увреждания*), 24 July 2019, <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp;jsessionid=8B72A273D639BA164049438BEE8DF184?idMat=140023>.

¹⁵⁶ Bulgaria, National Assembly (*Народно събрание*) (2018), Personal Assistance Act (*Закон за личната помощ*), 6 December 2018, www.parliament.bg/laws/ID/78259.

Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) issued an Ordinance on Participation in the Personal Assistance Mechanism (*Наредба за включване в механизма лична помощ*) which defines the rules and procedures for participating in the personal assistance mechanism.¹⁵⁷

The Enterprises of Social and Solidarity Economy Act (*Закон за предприятията на социалната и солидарна икономика*) which entered into force in May 2019 seeks to promote social entrepreneurship and social inclusion, including the social integration of persons with disabilities.¹⁵⁸ In addition, the National Employment Agency (NEA) (*Агенцията по заетостта*, АЗ) coordinates the implementation of the National Programme for Employment and Training of Persons with Permanent Disabilities (*Националната програма за заетост и обучение на хора с трайни увреждания*).¹⁵⁹ This National Programme seeks to enhance the qualification and ensure employment for persons with permanent disabilities who are registered with the Labour Bureau (*Бюро по труда*).

In August 2019, the Ministry of Labour and Social Policy (MLSP) (*Министерството на труда и социалната политика*, МТСП) issued a National Programme for Accessible Housing Environment and Personal Mobility (*Национална програма за достъпна жилищна среда и лична мобилност*).¹⁶⁰ The National Programme provides financial support for projects aimed at creating accessible housing environment and enhancing the personal mobility of people with disabilities.

In October 2019, the National Council for Persons with Disabilities (*Национален съвет за хората с увреждания*) approved the 2019-2020 Plan for the Implementation of the National Strategy for the Persons with Disabilities (*План за изпълнение на Националната стратегия за хората с увреждания за периода 2019-2020*).¹⁶¹ The 2019-2020 Plan includes measures and activities for increasing accessibility, supporting entrepreneurship, and providing incentives for employers to implement reasonable accommodations. Among the envisaged measures is funding project proposals coming from employers who wish to implement reasonable accommodations on the workplace. The 2019-2020 Action Plan contains a designated budget line for supporting such activities. Along with this, the 2019-2020 Action Plan allocates financial support in the form of partial reimbursement of social security contributions to specialised enterprises and cooperative organisations that employ persons with disabilities. The 2019-2020 Action Plan also seeks to strengthen the implementation of the provisions of the Employment Promotion Act (*Закон за насърчаване на заетостта*) under which employers are entitled to financial support and relief when hiring persons with disabilities.¹⁶² The Council further approved the increase by 4.3 per cent of the monthly financial assistance that persons with disabilities are to receive in 2020 in accordance with the provisions of the Persons with Disabilities

¹⁵⁷ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), Ordinance No. RD-07-7 on Participation in the Personal Assistance Mechanism (*Наредба № РД-07-7 за включване в механизма лична помощ*), 28 June 2019, <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=139329>.

¹⁵⁸ Bulgaria, National Assembly (*Народно събрание*) (2018), Enterprises of Social and Solidarity Economy Act (*Закон за предприятията на социалната и солидарна икономика*), 18 October 2018, www.parliament.bg/bg/laws/ID/78192/.

¹⁵⁹ Bulgaria, National Employment Agency (*Агенцията по заетостта*), National Programme for Employment and Training of Persons with Permanent Disabilities (*Националната програма за заетост и обучение на хора с трайни увреждания*), 22 January 2019, www.az.government.bg/pages/nacionalna-programa-zohtu/.

¹⁶⁰ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), National Programme for Accessible Housing Environment and Personal Mobility (*Национална програма за достъпна жилищна среда и лична мобилност*), 20 August 2019, www.mlsp.government.bg/index.php?section=POLICIESI&lang=&I=796.

¹⁶¹ Bulgaria, Council of Ministers (*Министерски съвет*) (2019), Decision No. 667 on the Adoption of the 2019-2020 Action Plan for the Implementation of the National Strategy for the Persons with Disabilities (*Решение № 667 за приемане на План за действие за периода 2019-2020 г. за изпълнение на Националната стратегия за хората с увреждания 2016-2020 г.*), 7 November 2019.

¹⁶² Bulgaria, Employment Promotion Act (*Закон за насърчаване на заетостта*), 29 December 2001, <https://lex.bg/laws/ldoc/-12262909>.

Act (*Закон за хората с увреждания*).¹⁶³ During 2020, there also will be additional funding for the National Programme for Employment and Training of Persons with Permanent Disabilities (*Национална програма за заетост и обучение на хора с трайни увреждания*).¹⁶⁴

In November 2019, the Council of Ministers (*Министерският съвет*) approved the Report on the Implementation of the 2016-2018 Action Plan for the Implementation of the National Strategy for the Persons with Disabilities, 2016-2020 (*Доклад за изпълнението на План за действие за периода 2016-2018 г. за изпълнението на Националната стратегия за хората с увреждания, 2016-2020 г.*).¹⁶⁵ The Report reviews the implementation of measures and activities in six priority areas: (1) Ensuring accessible living environment, means of transport, information and communication services; (2) Ensuring accessible and inclusive educational system at all levels and opportunities for life-long learning; (3) Ensuring effective access to high-quality healthcare; (4) Ensuring access to employment and reasonable accommodations on the workplace; (5) Ensuring adequate support for community rehabilitation; (6) Ensuring access to sport, leisure, tourism, and opportunities for participation in cultural life.¹⁶⁶ An integrated information system containing data about the health records, professional qualification, level of education, and socio-economic status of persons with disabilities is under construction. The database is intended to contribute to the community rehabilitation of persons with disabilities by facilitating both the development of sector-specific policies and the implementation of personalized approaches to effective socio-economic and cultural integration. At present, the information system features 16 modules and is being administered by the Agency for Persons with Disabilities (APD) (*Агенция за хората с увреждания, АХУ*).

¹⁶³ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), 'The monthly financial assistance stipulated in the Persons with Disabilities Act is to increase by 4.3 per cent in 2020' (*„Месечната финансова подкрепа по Закона за хората с увреждания се увеличава с 4,3% през 2020 г.“*), Press release, 28 October 2019, www.mlsp.government.bg/index.php?section=PRESS2&prid=1853&lang=.

¹⁶⁴ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), 'Over 545,000 levs additional funding will be directed at the employment of persons with disabilities' (*„Над 545 000 лв. допълнително се насочват за заетост на хора с увреждания“*), Press release, 29 October 2019, www.mlsp.government.bg/index.php?section=PRESS2&prid=1857&lang=.

¹⁶⁵ Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), 'Nearly 500,000 persons with disabilities have received support public budget support in 2018' (*„Близо 500 000 души с увреждания са получили подкрепа от държавния бюджет през 2018 г.“*), Press release, 6 November 2019, <https://www.mlsp.government.bg/index.php?section=PRESS2&prid=1865&lang=>.

¹⁶⁶ Bulgaria, Council of Ministers (*Министерски съвет*) (2019), Record No. 45 of the Meeting of the Council of Ministers on the Adoption of the Report on the Implementation of the 2016-2018 Action Plan for the Implementation of the National Strategy for the Persons with Disabilities, 2016-2020 (*Протокол № 45 от заседанието на Министерския съвет за приемане на Доклад за изпълнението на План за действие за периода 2016-2018 г. за изпълнението на Националната стратегия за хората с увреждания, 2016-2020 г.*), 6 November 2019.

2. CRPD monitoring at national level

Table: Structures set up for the implementation and monitoring of the CRPD

EUMS	Focal points within government for matters relating to the implementation of the CRPD – Article 33 (1)	Coordination mechanism – Article 33 (1)	Framework to promote, protect and monitor implementation of the CRPD – Article 33 (2)
BG	<p>Ministry of Labour and Social Policy (MLSP), Policy for People with Disabilities, Equal Opportunities and Social Benefits Directorate, Integration of People with Disabilities Department (Министерство на труда и социалната политика, МТСП, дирекция "Политика за хората с увреждания, равни възможности и социални помощи", отдел "Интеграция на хората с увреждания")</p> <p>Central and regional bodies of the executive branch are required to designate staff coordinators for the rights of persons with disabilities.</p>	<p>Minister of Labour and Social Policy (Министър на труда и социалната политика) in cooperation with the Ministry of Labour and Social Policy (MLSP) (Министерство на труда и социалната политика, МТСП) and the Agency for People with Disabilities (APD) (Агенция за хората с увреждания, АХУ)</p>	<p>Council for Oversight by and for Persons with Disabilities (Съвет за наблюдение на и за хората с увреждания)</p>

Annex 1 – Promising Practices

Thematic area	<p>EQUALITY AND NON-DISCRIMINATION</p> <p>Please provide one example of a rights awareness campaign held in your country in 2019 relevant to equality and non-discrimination, preferably one conducted by a national equality body. Where no such campaign was held, please provide an example of a promising practice implemented in 2019 in your country (this could include innovative initiatives at local level) to combat discrimination on any one of the following grounds: religion or belief, disability, age, sexual orientation, gender identity or sex characteristics. Where relevant, always highlight any relevance or reference to multiple discrimination.</p>
Title (original language)	Проект Words Are Stones
Title (EN)	Words Are Stones Project
Organisation (original language)	Център за междуетнически диалог и толерантност „АМАЛИПЕ“
Organisation (EN)	Center for Interethnic Dialog and Tolerance “AMALIPE”
Government / Civil society	Civil society
Funding body	European Commission, “Rights, equality and citizenship” Programme (2014-2020)
Reference (incl. url, where available)	<p>www.wordsarestones.eu/bg/#project-description</p> <p>www.amalipe.com/index.php?nav=projects&lang=1</p>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2018 – ongoing
Type of initiative	Awareness-raising, training
Main target group	<p>Campaigning and awareness-raising activities are targeted at young people, aged 14-25, as well as activists, journalists, media practitioners, and the general public.</p> <p>Training activities are targeted at young bloggers, social media activists, community managers, and moderators aged 18-30, with proven capacity to mobilise young people online.</p>
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The Words Are Stones project seeks to step up to counter and combat instances of online hate speech in cooperation with IT companies and the media by (1) organising activities that support civil society in developing online counter-narratives online; and (2) organising activities that promote media literacy, diversity, and tolerance through training and data sharing. The general objective of the project is to combat hate speech, racism, and discrimination in online expression equipping young social media strategists/managers, bloggers, online activists, youtuber and young people in general with the competences necessary to recognize and act against such human rights violations. The project specifically aims to motivate young people to engage in online discussions and

	act against hate speech through networking and capacity building. Train-the-trainer activities are combined with designing campaigns and raising awareness. The project is implemented by an international consortium featuring eight EU Member States: Bulgaria, Czech Republic, Greece, Hungary, Italy, Lithuania, Romania, and Spain.
Highlight any element of the actions that is transferable (max. 500 chars)	The Words Are Stones project provides open-source training course material for developing skills and competency to counter hate speech online. The project further provides an open-source toolkit for organising youth media campaigns for raising awareness of the need to counter hate speech online. The materials can be translated into different languages, enriched with supplementary material as appropriate and adapted to different settings, e.g. schools, in order to engage different target audiences.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The Words Are Stones project aims to develop capacity among young people and social media professionals etc. for recognising and acting against instances of hate speech, discrimination, and harassment online. To this end, the project adopts a tailored approach that is consistent with the needs of the selected target audiences which ensures lasting engagement and enhances motivation and creativity to counter online hate speech. Training material and practical resources that have been developed as part of the project are made freely available online, which allows other stakeholders to use and adapt them.
Give reasons why you consider the practice as having concrete measurable impact	Training and awareness-raising activities are assessed using quantitative indicators. For example, the project aims to create a network of 100 human rights activists.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The Words Are Stones project is being implemented by a consortium of eight EU Member States. The materials and tools developed as part of the project are freely available online and can be translated into different languages and adapted to different training and educational settings.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Not available
Explain, if applicable, how the practice provides for review and assessment.	The Words Are Stones project uses quantitative indicators to evaluate the progress of the training and awareness-raising activities that are being implemented.

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide one example of a promising practice to address discriminatory ethnic profiling within law enforcement agencies and other relevant national authorities. Where no such practice exists, please provide one example of a promising practice related to combating racism, xenophobia and related intolerances.
Title (original language)	Разширяване експертния капацитет на служителите на МВР за превенция на агресивни прояви в обществото, корупция и радикализация
Title (EN)	Expanding expert capacity of MoI staff for prevention of anti-social and aggressive behavior, corruption and radicalisation
Organisation (original language)	Институт по психология – Министерство на вътрешните работи
Organisation (EN)	Institute of Psychology – Ministry of Interior
Government / Civil society	Government
Funding body	European Social Fund – Operational Programme ‘Good Governance’ - Bulgaria
Reference (incl. url, where available)	https://www.mvr.bg/psychology/дейности/razshiriavane-eksperten-kapazitet/za-proekta
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2016 – 2018 (extended until the end of 2019)
Type of initiative	Training
Main target group	Police officers, criminal psychologists
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The project is intended to contribute to the development of competent and professional administration within the Ministry of Interior (MoI) (Министерство на вътрешните работи, МВР) by enhancing police staff capacity for countering radicalisation in a way that respects fundamental rights and freedoms. A key element of the initiative is promoting knowledge and professional competence of the process of radicalisation, its underlying factors, indicators, and manifestations. Among the specific objectives of the project are increasing stress resilience among police staff; promoting professional integrity and anti-corruption practices; and fostering awareness of radicalisation and skills to counter its manifestations. The project combines research and training activities that aim to facilitate dialogue between MoI staff and vulnerable groups that could be susceptible to radicalisation. Training activities are primarily aimed at sensitising MoI staff to the ethical and legal aspects of countering radicalisation in a way that respects fundamental rights and freedoms.
Highlight any element of the actions that is transferable (max. 500 chars)	The project is intended as a model of good practice for continued professional development in the area of counter-radicalisation within among MoI staff. The training modules that have been developed as part of the project will be subsequently incorporated into staff development programmes to ensure sustainability and continued learning.
Give reasons why you consider the practice as	The project seeks to complement the existing MoI staff development programmes by generating training modules that can be readily integrated with

sustainable (as opposed to 'one off activities')	the existing training activities. This in turn will ensure that MoI staff are adequately trained to recognize the process of radicalisation and effectively respond to its manifestations in a way that respects fundamental rights and freedoms. The project is further intended to help strengthen dialogue and cooperation between the MoI and other stakeholders including organisations representing vulnerable groups that could be susceptible to radicalisation.
Give reasons why you consider the practice as having concrete measurable impact	The project has concrete measurable indicators that allow assessing impact and the quality of training. Over 6,000 police officers are expected to be trained as part of the project.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Striking a balance between ensuring public security and guaranteeing fundamental rights is a challenge that all EU Member States face. The project is a good example of developing and implementing a balanced counter-radicalisation approach for effective law enforcement. The training materials developed and used within the framework of the project can be translated into different languages and adapted to the specific national contexts of different EU Members States for online and offline training.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The project is implemented by an inter-disciplinary team of expert practitioners within the Institute of Psychology. One of the activities entails a nation-wide survey of radicalisation processes which has been carried out in collaboration with organisations representing vulnerable groups that could be susceptible to radicalisation. The project is an example of a partnership between research experts and operative staff which facilitates the implementation of project outputs in the professional practice of relevant professionals.
Explain, if applicable, how the practice provides for review and assessment.	Quantitative indicators can be used for monitoring the number of trained participants. Qualitative indicators can be used for assessing the impact of training activities.

Thematic area	ROMA INTEGRATION Please provide one example of promising practice in relation to addressing a Roma/Travellers segregation at either national, regional or local. These could be (not limited to) in the area of segregation in education, residential segregation, segregation in healthcare services or in employment.
Title (original language)	Мост към бизнеса
Title (EN)	Bridge to Business
Organisation (original language)	Институт „Отворено общество“ – България (в партньорство с Фондация „Аутономия“ – Унгария и Централноевропейски университет – Унгария)
Organisation (EN)	Open Society Institute – Bulgaria (in cooperation with Autonomia Foundation – Hungary and the Central European University – Hungary)
Government / Civil society	Civil society
Funding body	EU Programme for Employment and Social Innovation (EaSI) 2014-2020
Reference (incl. url, where available)	http://bridgetobusiness.eu/ https://osis.bg/?p=2616&lang=en
Indicate the start date of the promising practice and	1 October 2016 – 30 September 2019

the finishing date if it has ceased to exist	
Type of initiative	Promoting Roma inclusion in employment
Main target group	Young Roma aged 18-35
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The main goal of the Bridge to Business Programme is to improve the access of young Roma (18-35) to jobs in the private sector which correspond to their education and qualification. In Bulgaria the Programme has covered 121 young people with secondary or university education and 170 Roma high-school students of different regions of the country. The Programme provides participants with an integrated and customized service, such as career orientation; assistance in contacting employers; tailored training; and mentoring after employment. An important component of the Bridge to Business Programme is preventing early school dropouts. The Programme provides mentor support for students of Roma origin in the last two years of their secondary education, including preparatory classes for the matriculation exams. Participants also benefit from motivating public events with representatives of business and academia, as well as successful representatives of the Roma community. The Programme works in close cooperation with private sector by assisting companies to prepare internal rules and procedures for promoting diversity and inclusion at the workplace.
Highlight any element of the actions that is transferable (max. 500 chars)	The Bridge to Business Programme seeks to establish an integrated and comprehensive approach for promoting Roma inclusion in the employment sector by bringing together representatives of the Roma community, and public, private and not-for-profit organisations. The Programme offers action at two levels by empowering young Roma and helping counter negative stereotypes and discrimination. The activities are easy to replicate and cost effective. The model set out by the Bridge to Business Programme could be utilised for enhancing the social inclusion of other vulnerable groups, including migrants and refugees.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The Bridge to Business Programme is conceived as a bottom-up partnership based upon multi-stakeholder engagement. Young Roma are directly involved in activities aimed at enhancing their professional skills and competencies for an improved employability. Roma students are provided with opportunities to improve their school performance and exam preparation which impacts on their overall motivation to remain at school and pursue further studies. The holistic approach that the Programme adopts by fostering partnerships with companies and public bodies, and non-governmental organisations (NGOs) helps promote a common understanding of the need to counter negative stereotypes and discrimination and work toward the effective inclusion of Roma at the workplace.
Give reasons why you consider the practice as having concrete measurable impact	The Bridge to Business Programme uses a set of measurable indicators for monitoring the achievement of project goals and results. Some of these indicators include: (1) number of university and high school graduate Roma participants (121); (2) number of participating Roma students (170); (3) number of training sessions organised throughout the Programme (13 with over 100 participants and more than 220 types of services delivered to participants); (4) number of companies participating in the Programme (more than 20 partnering companies); (5) number of analytical and research reports / publications produced throughout the Programme (10); (6) number of NGOs participating in/supporting the Programme (over 100); (7) number of teachers participating in the Programme (20).

Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The Bridge to Business Programme sets out a model for Roma inclusion and empowerment in the field of employment by enhancing the career and education prospects of young Roma. The model is bottom-up and underpinned by a multi-stakeholder approach which aims to foster lasting partnerships among the Roma community, companies, public sectors, and NGOs. The model can be applied in different settings for promoting the empowerment of other vulnerable groups including migrants and refugees.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The Bridge to Business Programme brings together the Roma community, companies, public organisations, and NGOs, in order to promote a holistic approach for Roma inclusion. Through the Programme, Roma graduates and company representatives have the opportunity to work together toward strengthening corporate diversity and inclusion policies and countering negative stereotypes and discrimination. Company representatives participate in training sessions and events held as part of the Programme. Teachers take part as mentors in the efforts to prevent early school dropouts. NGO partners and public organisations, including ministries participate in the events that organised throughout the Programme.
Explain, if applicable, how the practice provides for review and assessment.	The Bridge to Business Programme uses quantitative indicators which allow monitoring progress and evaluating impact. The stakeholder engagement strategy which underpins the efforts to foster a network of partnering organisations allow collecting timely feedback from stakeholders, in order to identify lessons learned and good practices in the process of the implementation of Programme activities.

Thematic area	Asylum, visas, migration borders and integration Please provide a promising practice on the support provided to unaccompanied children when reaching majority.
Title or short description of promising practice in original language and in English	Комплексна интеграционна подкрепа за легално пребиваващи граждани на трети държави Comprehensive Integration Support for Legally Residing Third-Country Nationals
Organisation (Government / Civil society) in charge of promising practise (original language/English)	Сдружение „Каритас София“ и Сдружение „Съвет на жените бежанки в България“ ‘Caritas Association – Sofia’ and Council of Refugee Women in Bulgaria
Funding body	EU AMIF National Programme – Bulgaria
Reference (incl. url, where available)	‘Comprehensive Integration Support for Legally Residing Third-Country Nationals’ https://crw-bg.org/en/projects/comprehensive-integration-support-legally-resident-third-country-nationals
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	‘Comprehensive Integration Support for Legally Residing Third-Country Nationals’ 1 July 2019 – 30 June 2021

Main target group	Third-country nationals legally residing in the Republic of Bulgaria, including persons seeking and receiving international protection, particularly vulnerable persons, as well as their close relatives.
(around 1000 characters)	The project 'Comprehensive Integration Support for Legally Residing Third-Country Nationals' aims to build sector capacity and upskill third-country nationals (TCNs) through the provision of support in the following areas: access to social and health services, and education and employment opportunities; development of social and life skills; and social participation and inclusion. The project also aims to improve the image of third-country nationals by countering negative stereotypes and promoting the development of positive attitudes toward legally residing migrants. The activities that are being implemented as part of the project include awareness-raising, provision of Bulgarian language classes, organisation of job fairs and provision of employment and career support, provision of social assistance and ensuring access to social services, and promoting social inclusion through dialogue and interaction.
Indicate level of implementation: Local/Regional/National	National
Indicate success factors – why has the practice effectively promoted integration?	The initiative uses a combination of approaches and methods for ensuring the effective implementation of project activities. This includes the provision of tailored services, such as individual consultations with social workers and culture mediators (https://crw-bg.org/node/451) and group events, such as job fairs and labour exchange during which third-country nationals can meet and interact with employers (https://crw-bg.org/node/453). At the same time, the project further features activities in the form of supervision sessions which are intended to enhance the competence and capacity of social workers and culture mediators and thus ensure that high-quality services are provided (https://crw-bg.org/node/452).
If the initial funding of the initiative ended, how has the initiative been continued/followed-up?	This initiative is currently being implemented.
Explain, if applicable, how the practice is being reviewed and assessed.	The project is being implemented in the Reception and Registration Centres (RRCs) (Регистрационно-приемателни центрове, РПЦ) in Sofia and Harmanli which are under the supervision of the State Agency for Refugees (SAR) (Държавната агенция за бежанците, ДАБ).
Does the initiative apply to both asylum seekers and protection status holders – and/or support the transition from one to the other?	Yes
Does the initiative specifically support persons in need of international protection as they turn 18? If so, which type of support is provided?	Whilst not specifically directed at supporting persons in need of international protection as they turn 18, this initiative seeks to offer support in areas that would be of relevance such individuals. These include awareness of social and health services, education and career opportunities, and opportunities for social interaction and participation.

Thematic area	INFORMATION SOCIETY, DATA PROTECTION Please provide one example of a promising practice in relation to one of the topic addressed in this Chapter
Title (original language)	„GATE: Големи данни в полза на интелигентно общество – Център за върхови постижения в областта на големите данни“
Title (EN)	“GATE: Big Data for Smart Society – Big Data Centre of Excellence”
Organisation (original language)	Софийски университет (СУ) „Св. Климент Охридски“
Organisation (EN)	Sofia University “St. Kliment Ohridski”
Government / Civil society	Civil society
Funding body	European Commission, Horizon 2020
Reference (incl. url, where available)	www.gate-coe.eu/index.html
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 September 2019 – ongoing
Type of initiative	Research and training
Main target group	Academic and research professionals, IT companies, public sectors
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The general objective of the GATE project is to develop the Centre of Excellence on “Big Data for Smart Society” that was established in January 2019 (Bulgaria, Council of Ministers (Министерски съвет) (2019), Decree No.13/24.01.2019 on the Establishment of Institutes within the Structure of Sofia University “St. Kliment Ohridski”, promulgated in SG 9/29.01.2019 (Постановление №13/24.01.2019 за откриване на институти в структурата на Софийския университет „Св. Климент Охридски“, обнародвано в ДВ 9/29.01.2019), http://dv.parliament.bg/DVWeb/showMaterialDV.jsp;jsessionid=D40A0507F831287C9784E4BF0E768790?idMat=134351). The Centre of Excellence seeks to fulfil the vision of Open Innovation through building a sustainable University-Government-Industry-Society ecosystem. It is being developed as joint initiative between Sofia University and Chalmers University of Technology, Sweden. The main research objective of the Centre of Excellence is to advance the state-of-the-art in the whole Big Data Value Chain, including development of advanced methods and tools for data collection from variety of structured and unstructured sources, data consistency checking and cleaning, data aggregation and linking, data processing, modelling and analysis, data delivery by providing both accessibility and proper visualization. The specific objectives of the project are to establish

	<p>a solid background for the creation and sustainability of a Centre of Excellence at a national, regional and EU level through (1) Elaboration of a detailed and robust business plan with a long term vision for setting-up and sustaining of the Centre of Excellence; (2) Strengthening the research capacity and potential in Big Data; (3) Establishment of an international collaborative network of Big Data and related fields researchers; (4) Increasing quality of education and training and offering measures for motivation and involvement of the next-generation Early-Stage Researchers; and (5) Wide dissemination and promotion of project aims, activities and expected outputs. The Big Data Centre of Excellence will be launched in October 2019.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The GATE project rests upon a publicly-funded academic partnership that seeks to develop an innovation ecosystem. This model can be used in other countries, in order to foster cutting-edge research spin-offs with value for the public and private sectors, and promote lasting engagement among different stakeholders in the process of embedding emerging technologies in everyday social life.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to ‘one off activities’)</p>	<p>The GATE project is a long-term initiative which focuses on human resource development in the area of big data, in order to ensure effective teaching, learning, and research capacities for sustaining the activity of the Centre of Excellence. It further aims to engage different stakeholders and enhance cross-sectorial interaction and collaboration on the application of big data and related emerging technologies.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>Indicators for assessing the performance of the Centre of Excellence can include the number of employed trained staff; number of enrolled students; number of trained students; number students with graduate qualification (Master’s and above); number of successful PhD candidates; number of scientific publications in peer-reviewed journals; number of research and development (R&D) projects implemented by Centre of Excellence staff; bulk of R&D funding secured on an annual basis; participation of Centre of Excellence staff in national scientific conferences and workshops; participation of Centre of Excellence staff in international scientific conferences and workshops; and number of Centre of Excellence staff participating in continued professional development courses. Quantitative indicators can be supplemented with a qualitative impact assessment of the Centre of Excellence R&D activities that shows the application of innovation results for the purposes of public and private sectors.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>Digitalisation and development of big data and artificial intelligence (AI) are key priorities at EU level. The GATE project can provide important insights, lessons learned, and best practices on fostering innovation ecosystems through publicly-funded academic partnerships.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The GATE project seeks to foster interaction and collaboration among different stakeholders, in order to develop a sustainable innovation ecosystem. This will be done through the elaboration of a business plan.</p>

Explain, if applicable, how the practice provides for review and assessment.	The GATE project can be assessed by monitoring and reviewing the activity of the Centre of Excellence.
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Thematic area	RIGHTS OF THE CHILD
	Please provide one example of a promising practice in relation to one of the topic ad-dressed in this Chapter.
Title (original language)	Дигитални умения на децата в 21 век
Title (EN)	Digital skills of children in 21st century
Organisation (original language)	Сдружение „Асоциация Родители“ в партньорство със Столична община – район „Лозенец“, 35. СЕУ „Добри Войников“ и фондация „Приложни изследвания и комуникации“
Organisation (EN)	Roditeli Association in collaboration with Lozenets District – Sofia Municipality, 35th secondary school Dobri Voinikov and Applied Research and Communications Fund
Government / Civil society	Civil Society in collaboration with local government
Funding body	Europe Programme – Sofia Municipality
Reference (incl. url, where available)	Association Roditeli (Сдружение „Асоциация Родители“) (2019) Digital skills of children in 21 st century project (Проект „Дигитални умения на децата в 21 век“), https://roditeli.org/projects 35 secondary school Dobri Voinikov (35 СЕУ „Добри Войников“) (2019) Digital skills of children in 21 st century project (Проект „Дигитални умения на децата в 21 век“) http://35sou.bg/2019/09/12/дигитални-умения-на-децата-в-21-век-2/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	15 February – 15 September 2019
Type of initiative	Education, training
Main target group	Students, teachers
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	The practice includes presenting teachers with a new interactive methodology for the development of digital competencies and skills of students from 5th to 12th grade. The methodology is based on a guide consisting of 14 thematic lessons. Before the start of the new academic year, a team of trainers held two two-day trainings of teachers and educational experts with the aim to improve their capacity to educate and develop 21st century key competencies.

	<p>Participants were taught how to use the methodology and were acquainted with interactive methods and approaches related to improving those 21st century competencies in children. Further, participants were acquainted with the basic online risks facing youth and children, as well as the possibilities for prevention through developing their digitalmedia knowledge.</p> <p>In addition, the methodology is aimed to improve children’s soft skills, including their communication skills, emotional intelligence and teamwork competencies.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	The practice seems transferable in its entirety, including the methodology as well as its presentation through trainings for teachers and other educational specialists held in schools.
Give reasons why you consider the practice as sustainable (as opposed to ‘one off activities’)	Although the practice is part of a project, the same activities can be offered to diverse groups of teachers and other specialists, who can improve their students’ digital skills and competencies at any of the educational levels, foreseen by the methodology.
Give reasons why you consider the practice as having concrete measurable impact	The practice’s measurability is twofold; it is possible to compare the teachers’ knowledge on online risks and methods for prevention before and after the training, and it is further possible to measure children’s knowledge in these areas at the beginning and at the end of each academic year, or within another period of time.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	As the internet is an essential element of today’s interconnected society, the risks it bears are global as well, with few differences in how children in different Member States, or settings, are affected. Similarly, the methodology for prevention of such risks should work well in different settings and Member States with minimum adaptation.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Beneficiaries and stakeholders have been involved throughout all the stages of the design and implementation of the project, as the methodology used previous experience in such trainings and the actual trainings of teachers and educational specialists were used for evaluation and review of the methods and content used, as well as for planning of the activities with students.
Explain, if applicable, how the practice provides for review and assessment.	Reviews and assessments have been done within the teachers’ trainings.

Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide one example of a promising practice in relation to one of the topic ad-dressed in this Chapter
Title (original language)	За теб
Title (EN)	For you
Organisation (original language)	Сдружение „Помощ за теб“ с подкрепата на Сдружение „Алианс за защита от насилие, основано на пола“
Organisation (EN)	Association ‘Help for you’ in cooperation with the Alliance for Protection against Gender-Based Violence
Government / Civil society	Civil society

Funding body	PremFina Ltd
Reference (incl. url, where available)	https://play.google.com/store/apps/details?id=org.zateb Press information in e-mail to Center for the Study of Democracy, 21 September 2019
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	19 September 2019 – ongoing
Type of initiative	Awareness raising, support, advice to victims
Main target group	Women (and children) victims of domestic violence
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	For you is a mobile application designed specifically for the needs of domestic violence victims in Bulgaria and gathering together all concerned organisations within the country in order to facilitate the access to information and support. The application can be used in Bulgarian and English and offers useful information to victims of domestic violence and their close ones and family. The application offers a localisation feature that shows the support centres closest to the victim. Additionally, a national, 24-hour hotline, as well as a shortcut emergency button dialing 112 are supported. Further, the application offers a test designed by psychologists specialised in the field that aims to find out whether the person is a victim of domestic violence. In addition, the application offers the option to fill in a diary documenting all the events of domestic violence the victim has been subjected to. Finally, the application offers multiple sources of information.
Highlight any element of the actions that is transferable (max. 500 chars)	The practice seems transferable in its entirety, with contextual modifications adapted to the place of implementation. This includes the establishment of a hotline, providing informative sources on domestic violence, an emergency dial button, the localisation option that tracks down the closest support centers and the specifically designed test.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Beyond the funds needed for the development of the application and its future maintenance, the practice relies on facilitating the connection between the victim and various channels of assistance, most of which, if not all, are public. Thus, the sustainability of the application lies in its function to compile various support resources and improve the access to them.
Give reasons why you consider the practice as having concrete measurable impact	Although facing some problems like the general issue of undeclared cases of domestic violence, the application's impact can nevertheless be measured in collaboration with support centres, statistics about the use of the hotline, criminology statistics concerning domestic violence in Bulgaria, statistics about the users of the application, etc.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Apart from the test specifically designed for the Bulgarian context, every function of the application can easily be transferable in another Member State, depending on the access and capacity of the population to work with mobile devices. Further, although the test cannot be transposed directly itself, the methods of its elaboration can be transferred resulting in the adaptation of the test to the particular country.
Explain, if applicable, how the practice involves	No information found

beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	The application can be found on the two biggest software online stores for mobile phones – Google Play Store and Apple App Store. Both platforms support a feedback and review options. According to Google Play Store statistics, the mobile app has already been downloaded more than 100 times.

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide one promising practice example of projects or programmes implementing the CRPD or furthering the rights of persons with disabilities.
Title (original language)	Фондация „Сошъл фючър“
Title (EN)	Social Future Foundation
Organisation (original language)	Джамба – кариера за всички
Organisation (EN)	Jamba – Career for All
Government / Civil society	Civil society
Funding body	Online platform supported through donations
Reference (incl. url, where available)	https://jamba.bg/en/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2016 – ongoing
Type of initiative	Awareness-raising, promoting the inclusion of people with disabilities in the employment sector
Main target group	People with disabilities
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The purpose of Jamba is to serve as a connection between people with disabilities in Bulgaria and their future employers. Jamba is a place for education, internship, and career. Jamba provides a wide range of services which aim to benefit people with disabilities, employers, and the general public. The platform offers tailored career advice and training opportunities that allow participants to acquire new skills and competencies. Jamba also works with employers to elucidate the importance of hiring people with disabilities and support them in providing reasonable accommodation for people with disabilities at the workplace. In particular, in cooperation with Earnest and Young in 2018, Jamba has published a guiding document titled Employer’s Guide to the Equality of People with Disabilities in the Workplace. The Guide is freely available online. The platform also organises various campaigns and public outreach events that seek to raise awareness of the need for the effective

	social integration of people with disabilities showing how their inclusion can contribute to social and economic prosperity. The platform uses a specific type of software that allows people with vision impairment to access its resources and materials.
Highlight any element of the actions that is transferable (max. 500 chars)	Jamba is a grassroots initiative that seeks to foster partnerships and promote networking among different stakeholders, in order to enhance the employment and career prospects of people with disabilities. It is an online platform and as such it is a model of practice that can be used by other interested parties. The Employer's Guide to the Equality of People with Disabilities in the Workplace that has been published by Jamba can be translated into other languages.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Jamba seeks to promote an integrated approach for enhancing the access of people with disabilities to job opportunities. Stakeholder engagement, volunteer recruitment, and fund-raising are key elements of the sustainability strategy of Jamba.
Give reasons why you consider the practice as having concrete measurable impact	Jamba uses quantitative indicators for monitoring the progress of its activities. The platform is partnering with some 36 companies nationwide. Statistical data regarding the number of people with disabilities who have taken part in training activities and/or have been able to find a job through Jamba are kept. Jamba also administers a stakeholder database with some 700 entries.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Jamba offers a model of stakeholder engagement for enhancing the access of people with disabilities to job opportunities. This model can be applied in other EU Member States as a way of fostering lasting partnerships among employers and people with disabilities through dialogue and cooperation.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Jamba is a grassroots initiative which provides a space for people with disabilities and employers to interact. This is achieved through the tailored training programmes that Jamba offers, various events that are organised, including meetings and campaigns.
Explain, if applicable, how the practice provides for review and assessment.	Quantitative indicators are used for progress monitoring and assessment.

Annex 2 – Case law

Thematic area	<p>EQUALITY AND NON-DISCRIMINATION</p> <p>Please provide one high court decision addressing discrimination on any one of the following grounds: gender identity, religion or belief, disability, age, or sexual orientation. Where relevant, always highlight any relevance or reference to multiple discrimination in the case you report</p>
Decision date	14 August 2019
Reference details	Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 11854 of 6 August 2019 on administrative case No 10095/2018 (Решение № 11854 от 14.08.2019 г. на ВАС по адм. д. № 10095/2018 г.), 14 August 2019, www.sac.government.bg/court22.nsf/d038edcf49190344c2256b7600367606/0ef229e5845b4177c2258450002b3931?OpenDocument
Key facts of the case (max. 500 chars)	The case concerns discrimination on the grounds of age. On 18 August 2016, the Ministry of the Interior (MoI) (Министерство на вътрешните работи, МВР) published an open competitive procedure for recruiting public officials for one of its regional police directorates. The eligibility criteria included, among others, a requirement for a maximum age of 40 years, which was applicable to all candidates except for those who were current or former employees of the Ministry of the Interior (MoI) (Министерство на вътрешните работи, МВР). Based on a complaint by one of the candidates, who was disqualified for not meeting the age requirement, the Commission for Protection against Discrimination (CPD) (Комисия за защита от дискриминация, КЗД) examined the case and found that the age requirement was discriminatory on the grounds of age. The decision was confirmed by two court instances: first by the Sofia City Administrative Court (SCAC) (Административен съд – София-град, АССГ) and then by the Supreme Administrative Court (SAC) (Върховен административен съд, ВАС).
Main reasoning/argumentation (max. 500 chars)	According to the court, the maximum age requirement was not justified and placed the candidates above the age of 40 years in a disadvantaged position compared to those below that age. The court dismissed the argument of the Ministry of the Interior (MoI) (Министерство на вътрешните работи, МВР) that the maximum age constituted a genuine and determining occupational requirement in the sense of Art. 4(1) of Directive 2000/78/EC, because there was no evidence showing that the requirement was proportionate and its objective was legitimate. Moreover, after examining the job description for the vacant positions, the court found no reason to conclude that a person above the age of 40 would not be able to perform this job.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The key concept clarified by the case was the exception defined in Art. 4(1) of Directive 2000/78/EC, according to which a case shall not constitute discrimination where, by reason of the nature of the particular occupational activities concerned or of the context in which they are carried out, such a characteristic constitutes a genuine and determining occupational requirement, provided that the objective is legitimate and the requirement is proportionate. According to the court, this exception should not apply to cases, in which there is no evidence that the persons, who do not meeting the defined occupation requirement, are not capable of performing the tasks related to that occupation.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The court confirmed the decisions of the equality body and the first-instance court ruling that the maximum age requirement represented discrimination on the grounds of age.
Key quotation in original language and translated	Специфичните изисквания за постъпване на държавна служба, регламентирани в Наредба № 8121з-344/25.07.2014г. на министъра на вътрешните работи и по-конкретно, разписаното в чл. 3, ал. 1, т. 1 изискване за възраст би могло да се счита

<p>into English with reference details (max. 500 chars)</p>	<p>за „основно и определящо професията изискване" по смисъла на член 4, параграф 1 от Директива 2000/78 за упражняването на професията офицер-разузнавач в структурите на МВР, но за целта министърът на вътрешните работи следва да докаже по безспорен начин, че мярката, нормативно закрепена, състояща се в определяне на максимална възраст от 40 години за кандидатстване за работа на изпълнителска длъжност „офицер-разузнавач“ е пропорционална и налага такова ограничение спрямо други служители на министерството, които надвишават тази възраст и са кандидати за заемане на длъжността. Както правилно отбелязва в мотивите си административният съд, жалбоподателят не представя по делото доказателства, които да установяват, че изискванията по длъжностната характеристика за вакантните изпълнителски длъжности, налагат изпълнението им от служители от системата на МВР до 40 годишна възраст, но не и от такива служители, които са я навършили.</p> <p>The specific requirements for entering civil service, regulated in Ordinance No. 8121з-344 / 25.07.2014 of the Minister of the Interior and in particular, the age requirement specified in Art. 3, Para. 1, Item 1, could be considered as a "genuine and determining occupational requirement" within the meaning of Art. 4(1) of Directive 2000/78 for occupying the position of intelligence officer in the MoI structures, but for this purpose the Minister of the Interior should prove beyond any doubt that this measure, defined in a legal provision and fixing a maximum age of 40 to apply for the position of 'intelligence officer' is proportionate and imposes the same restriction on other ministerial officers who are above this age and are applying for the job. As the administrative court correctly points out in its reasoning, the applicant fails to present evidence proving that the job description requirements for the vacant executive positions necessitate their fulfilment by employees of the MoI up to the age of 40, but not by such employees who have completed that age.</p> <p>Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 11854 of 6 August 2019 on administrative case No 10095/2018 (Решение № 11854 от 14.08.2019 г. на ВАС по адм. д. № 10095/2018 г.), 14 August 2019, www.sac.government.bg/court22.nsf/d038edcf49190344c2256b7600367606/0ef229e5845b4177c2258450002b3931?OpenDocument</p>
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<p>Thematic area</p>	<p>RACISM, XENOPHOBIA AND RELATED INTOLERANCE.</p> <p>Please provide the most relevant high court decision concerning the application of either the Racial Equality Directive, the Framework Decision on racism and xenophobia, or relevant to addressing racism, xenophobia and other forms of intolerance more generally.</p>
<p>Decision date</p>	<p>15 May 2019</p>
<p>Reference details</p>	<p>Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 7269 of 15 May 2019 on administrative case No 11803/2017 (Решение № 7269 от 15.05.2019 г. на ВАС по адм. д. № 11803/2017 г.), 15 May 2019, http://www.sac.government.bg/court22.nsf/d6397429a99ee2afc225661e00383a86/2a209f339048f3c3c22583fa004fa6d4?OpenDocument</p>
<p>Key facts of the case (max. 500 chars)</p>	<p>The case concerns incitement to hatred and harassment on the grounds of ethnic origin. A local company managing an online news outlet was found guilty of incitement to hatred and harassment against persons of Roma ethnic origin. In July 2017, the online news outlet published an article entitled ‘Drunken Roma bully a Bulgarian woman, a defender shoots at them with an air rifle’. The article described an incident, in which five allegedly drunken Roma men had attacked a Bulgarian woman on the street and the person, in whose house the women sought help, had shot an air gun against the attackers, hurting two of them. The website allowed users to post anonymous comments and for some these comments a complaint was filed to the Commission for Protection against Discrimination (CPD) (Комисия за защита от дискриминация, КЗД). The commission found the company managing the website guilty of harassment on the grounds of ethnic origin, because the</p>

	<p>comments had created an intimidating, hostile, degrading, humiliating and offensive environment for the Roma population. The decision was appealed before and confirmed by two court instances: the Sofia City Administrative Court (SCAC) (Административен съд – София-град, АССГ) in 2017 and then the Supreme Administrative Court (SAC) (Върховен административен съд, ВАС) in 2019.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The court concluded that even though the readers of the online news outlet had the right to post anonymous comments under the published articles, their right should not violate the absolute prohibition of all forms of discrimination, including harassment. According to the court, by undermining the prestige and dignity of an ethnic community in the Bulgaria, some of the comments were inciting hatred and ethnic tension in the country. The court also dismissed the argument of the company managing the website that it was not responsible for the comments posted by visitors, referring to the ECtHR judgement on the case of Delfi AS v. Estonia, in which the Court found the holding of a website owner liable for defamatory comments posted by readers as a justified and proportionate restriction of the freedom of expression.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The key concept clarified by the case was the scope of the liability of a website owner for discriminatory comments posted by the website users. Both the first and the second instance court held that when a commercial company allows anonymous comments on their website, it is liable for the content of these comments, especially if no measures have been implemented to control these comments and their compliance with the website's terms of use.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The court confirmed the decisions of the equality body and the first-instance court ruling that the case constituted harassment on the grounds of ethnic origin and instructing the company managing the website to introduce permanent monitoring of the comments by a moderator in order to avoid other violations of the anti-discrimination legislation.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>Правилен и обоснован е изводът, че в конкретния случай публикуваните коментари имат дискриминационно съдържание и представляват „тормоз“ по смисъла на § 1, т. 1 ЗЗДискр. - същите са с етническа насоченост, съдържат призови за саморазправа и накърняват човешкото достойнство, без оглед на формата на вината и дали са настъпили последици или не. Правилен е и изводът, че именно касаторът, в качеството му на собственик на сайта, в който са публикувани тези изказвания и коментари носи отговорност за тях, тъй като е дал възможност потребителите да публикуват коментари без да предвиди мерки за контрол върху същите, включително и за нарушение на собствените му общи условия.</p> <p>It is correct and justified to conclude that in the specific case the published comments have discriminatory content and constitute "harassment" within the meaning of § 1, Item 1 of the Protection against Discrimination Act: they are ethnic in nature, contain calls for violence and offend human dignity, regardless of the form of guilt and whether or not there are consequences. It is also correct to conclude that it is the defendant, as an owner of the site in which these statements and comments have been posted, who is responsible for them, as they have enabled users to post comments without providing for any corresponding control measures, including in case of violation of their own terms and conditions.</p> <p>Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 7269 of 15 May 2019 on administrative case No 11803/2017 (Решение № 7269 от 15.05.2019 г. на ВАС по адм. д. № 11803/2017 г.), 15 May 2019, http://www.sac.government.bg/court22.nsf/d6397429a99ee2afc225661e00383a86/2a209f339048f3c3c22583fa004fa6d4?OpenDocument</p>

Thematic area	ROMA INTEGRATION Please provide the most relevant high court decision addressing violations of fundamental rights of Roma in the context of education, employment, health, housing, etc. In particular, focus on cases where discrimination or segregation (not limited to segregation in education or housing) are addressed.
Decision date	8 February 2019
Reference details	Bulgaria, Sofia City Administrative Court (Административен съд – София-град) (2019) Decision No 741 of 8 February 2019 on administrative case No 4611/2018 (Решение № 741 от 8.02.2019 г. на АССГ по адм. д. № 4611/2018 г.), 8 February 2019, http://search.admincourtsfia.bg/Acts/GetActContent?BlobID=231540
Key facts of the case (max. 500 chars)	The case concerns discrimination of Roma on the grounds of ethnicity. A local electricity company was found guilty of discrimination against Roma because of its practice to place the electricity meters at hard to reach places, which do not allow customers to check the amount of consumed energy. This practice was not applied to all customers, but only to those living in a neighbourhood with predominant Roma population. In this neighbourhood, the electricity meters were placed on poles, at a height of about seven meters. In other neighbourhoods, the devices were usually located at a height of about 1.5 meters. Based on a complaint by a customer of Roma ethnic background living in this neighbourhood, the Commission for Protection against Discrimination (CPD) (Комисия за защита от дискриминация, КЗД) investigated the case and sanctioned the electricity company for discrimination. The electricity company filed an appeal against the decision before the Sofia City Administrative Court (SCAC) (Административен съд – София-град). After reviewing the case, the court confirmed the equality body's decision.
Main reasoning/argumentation (max. 500 chars)	The court concluded that the location of the electricity meter at a height of seven meters was directly linked to the fact that the applicant's house was located in the Roma neighbourhood. According to the court, this practice constituted unequal treatment on the grounds of ethnicity. The court also referred to a decision of the CJEU (Judgement of the Court (Grand Chamber) of 16 July 2015 on Case C-83-14), in which the Court ruled that when 'in an urban district mainly lived in by inhabitants of Roma origin, all the electricity meters are placed on pylons forming part of the overhead electricity supply network at a height of between six and seven meters, whereas such meters are placed at a height of less than two meters in the other districts — irrespective of whether that collective measure affects persons who have a certain ethnic origin or those who, without possessing that origin, suffer, together with the former, the less favourable treatment or particular disadvantage resulting from that measure' the situation should be interpreted as discrimination on the grounds of ethnic origin.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The key issue clarified by the case was the interpretation of 'indirect discrimination' as defined by Directive 2000/43/EC and the national anti-discrimination law. The court concluded that the practice could not be considered as 'appropriate and necessary' means for achieving a 'legitimate aim', because the electricity company did not present evidence showing that similar measures had been applied in other neighbourhoods with predominant ethnic Bulgarian population. Besides, the fact that, at a later stage, the company started placing the electricity meters at a lower height, clearly showed that the contested practice was not the only possible solution, which had made it disproportionate to the pursued objective.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The court confirmed the equality body's decision and the electricity company was sanctioned by a fine of BGN 250 (approximately €125) and instructed to place the electricity meters in the Roma neighbourhood at the same height as in the other neighbourhoods and to refrain, in the future, from treating unequally its customers. The imposed financial sanction is the minimum envisaged in the law, which provides that legal entities found guilty of discrimination shall be sanctioned by a fine of between BGN 250 (approximately €125) and BGN 2,500 (approximately €1,125).

Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>В случая жалбоподателят не е ангажирал доказателства, че процесните мерки са били взети и в други части на града, респ. че този подход е приложен и към други квартали, населявани от граждани с български произход. Обстоятелството, че от 2016г. е предприело поставяне на електромерите на по-малка височина, на достъпно място за визуален контрол на стойностите, ясно сочи, че поставянето на електромерите на височина над 7м. не е било единственото възможно решение на посочените проблеми от [фирма]. При тези факти обосноваван е извода на КЗД, че избраните от дружеството в процесния период средства прекрачват предела на необходимост. Налице е дискриминация, основана на „етническа принадлежност“.</p> <p>In the present case, the applicant did not present any evidence that similar measures had been taken in other parts of the city, respectively, and that this approach had been applied also to other neighbourhoods populated by citizens of Bulgarian origin. The fact that since 2016 the installation of electricity meters has been done at a lower height, in an accessible place for visual inspection of the displayed values, clearly indicates that the installation of electricity meters at a height above 7 m. was not the only possible solution to the problems described by [name of the company]. These facts justify the conclusion of the Commission for Protection against Discrimination that the means selected by the company during the period in question exceed the necessity threshold. That is discrimination based on "ethnic origin".</p> <p>Bulgaria, Sofia City Administrative Court (Административен съд – София-град) (2019) Decision No 741 of 8 February 2019 on administrative case No 4611/2018 (Решение № 741 от 8.02.2019 г. на АССГ по адм. д. № 4611/2018 г.), 8 February 2019, http://search.admincourtsfia.bg/Acts/G etActContent?BlobID=231540</p>

Thematic area	INFORMATION SOCIETY, DATA PROTECTION Please provide the most relevant high court decision in relation to one of the topic addressed in this Chapter
Decision date	15 November 2019
Reference details	Bulgaria, Constitutional Court (Конституционен съд) (2019) Decision No 8 of 15 November 2019 on constitutional case No 4/2019 (Решение № 8 от 15.11.2019 г. по конституционно дело № 4/2019 г.), 15 November 2019, www.constcourt.bg/bg/Acts/GetHtmlContent/865e35ff-b1b2-4a3c-8c50-449a4d887bfl
Key facts of the case (max. 500 chars)	The Constitutional Court was approached by 55 Member of Parliament with a request for assessing the compliance Article 25з(2) of the Personal Data Protection Act (Закон за защита на личните данни) with the Bulgarian Constitution and the international legal acts ratified by Bulgaria. The provision of Article 25з(2) was part of the set of amendments adopted by the parliament in relation to the implementation of the GDPR. It was implementing Article 85 of the GDPR allowing Member States to reconcile by law the right to the protection of personal data with the right to freedom of expression and information, including processing for journalistic purposes and the purposes of academic, artistic and literary expression. Article 25з(2) stipulated that the balance between right to the protection of personal data with the right to freedom of expression and information shall be ensured based on the following criteria: (1) the nature of the personal data; (2) the impact of the public disclosure of the data on the privacy of personal life and the reputation of the data subject; (3) the circumstances in which the data have become known to the administrator; (4) the nature and characteristics of the statement, by virtue of which the right to disclose the data has been exercised; (5) the importance of disclosing the personal data for the clarification of an issue of public interest; (6) the fact whether the data subject is a senior public official or has a role in public

	<p>life leading to a decreased protection of personal privacy; (7) the fact whether the data subject has personally contributed to the disclosure of the personal data or other information about their personal or family life; (8) the purpose, content, form, and effects of the statement, through which the right to disclose the data is exercised; (9) the compliance of the statement, through which the right to disclose the data is exercised, with fundamental rights; and (10) any other circumstances relevant to the case.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The Constitutional Court found the criteria, listed in Article 25з(2) of the Personal Data Protection Act (Закон за защита на личните данни), as not sufficiently precise and clear, which makes them inadequate to regulate the phenomena they are supposed to address. This, according to the Court, is a violation of the constitutional principle of the rule of law. The Court further noted that the restrictions imposed by the provision on the right to freedom of expression and information were comparable to the restrictions of this right defined in the Constitution and their introduction by an ordinary law was disproportionate to its legitimate goal. According to the Court, restricting one fundamental right at the expense of another is a step toward organising the rights in a hierarchical order and this contradicts international law, which proclaims the equal value of all fundamental rights. Finally, the Court argued that the introduction of criteria for the reconciliation of the two rights by a law was not necessary. Instead, this issue should be regulated by codes of conduct developed jointly by the media organisations and Commission for Personal Data Protection (CPDP) (Комисия за защита на личните данни, КЗЛД), which is an approach implemented in many democratic states.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>A key issue clarified by the case is the interpretation of the limits within which EU legislation can be implemented through national law. The Court noted that the mandate of Member States to reconcile the right to the protection of personal data with the right to freedom of expression and information, given by Article 85 of the GDPR, should not be interpreted as a mandate to restrict, by a list of criteria, the right to expression and information to the detriment of media and journalists. Such an interpretation, according to the Court, would alter the spirit of the GDPR, which calls for reconciliation and balanced regulation.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Constitutional Court declared the provision of Article 25з(2) of the Personal Data Protection Act (Закон за защита на личните данни) as unconstitutional. The Court also noted that its decision would not be an obstacle for the implementation of the GDPR in Bulgaria, because the provisions of the GDPR have direct effect and national courts could follow the case law of the CJEU.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>Да се тълкува мандата на държавите членки, предвиден в чл.85 от Регламента, в смисъл на вмениящ позитивно задължение за установяване чрез закон на абстрактни критерии (при това, обяснимо, неизчерпателно изброени) за балансиране на двете потенциално конфликтни права, в тежест на медиите/журналистите, е равнозначно на съществена промяна на духа и разума на тази разпоредба. Самата тя, като предвижда въвеждане на изключения и дерогации от общите правила, е израз на идеята за балансирано регулиране в сферата на защита на личните данни така, че да се осигури това право да бъде в равновесие с другите основни права, в съответствие с принципа на пропорционалност, при засилена защита на информационната неприкосновеност на индивида (съображение (4) Регламент 2016/679). Развитие на националното законодателството в посока на горното виждане за смисъла на чл.85 прави изключително трудно по-нататък да се постави граница на държавната намеса по отношение свободата на изразяване на медиите/журналистите.</p> <p>To interpret the Member States' mandate provided for in Article 85 of the Regulation in the sense of imposing a positive obligation to establish by law abstract criteria (in this case, not exhaustively listed) for balancing the two potentially conflicting rights in the burden of the media / journalists is tantamount to a significant change in the spirit and reason of this provision. It itself, by providing for exceptions and derogations from the general rules, is an expression of the idea of balanced regulation in the field of personal data protection so as to</p>

	<p>ensure that this right is in balance with other fundamental rights, in accordance with the principle of proportionality, with enhanced protection of the individual's privacy (recital (4) of Regulation 2016/679). The development of national legislation in the direction of the above view for the meaning of Article 85 makes it extremely difficult to further limit the state interference with respect to freedom of expression of the media / journalists.</p> <p>Bulgaria, Constitutional Court (Конституционен съд) (2019) Decision No 8 of 15 November 2019 on constitutional case No 4/2019 (Решение № 8 от 15.11.2019 г. по конституционно дело № 4/2019 г.), 15 November 2019, www.constcourt.bg/bg/Acts/GetHtmlContent/865e35ff-b1b2-4a3c-8c50-449a4d887bf1</p>
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Thematic area	<p>RIGHTS OF THE CHILD</p> <p>Please provide the most relevant high court decision in relation to one of the topic addressed in this Chapter.</p>
Decision date	6 March 2019
Reference details	<p>Bulgaria, Burgas Appellate Court (Бургаски апелативен съд) (2019) Decision No 23 of 6 March 2019 of the Burgas Appellate Court on appellate criminal case of general nature No 3/2019 (Решение № 23 от 6.03.2019 г. на БАС по в.н.о.х.д. № 3/2019 г.), ECLI:BG:AP200:2019:20190600003.001, 6 March 2019, https://legalacts.justice.bg/Search/Details?actId=ZBPZx6yk%2BOs%3D</p>
Key facts of the case (max. 500 chars)	<p>The case concerned the re-opening of criminal proceedings against a defendant under 18 years of age due to significant procedural violations – the defendant had been tried by a panel with no participation of teachers or educational specialists as lay judges, as required by law. He was tried, together with another defendant under 18 years of age, for sexual intercourse and other actions of sexual nature towards a person of the same sex under 14 years of age.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The appellate court gives a detailed description on how the judge and the two lay judges to the case were chosen by the lower court's system for random distribution of cases. The two lay judges were, indeed, neither teachers, nor educational specialists. However, no prejudice, dependency or other grounds for their recusal existed and the case was heard, as required by law, behind closed doors, with the educational aim of the trial towards the defendants fully achieved.</p>
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>The lack of teacher's or educational specialist's capacity of the lay judges in a trial against a defendant under 18 years of age cannot be the only ground for re-opening of a case against such a defendant if the lay judges did not show any prejudice, dependency or another ground for recusal.</p>
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	<p>The appellate court did not re-open the criminal case, thus leaving the sentence against the defendant in force. The decision was final.</p>
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>В заключение, апелативният съд прие, че липсата на професия учител или възпитател у участвалите в съдебния състав на първоинстанционния съд съдебни заседатели по наказателно дело срещу напълнолетен подсъдим не може да обоснове извод за незаконен състав и да послужи като единствено основание за възобновяване на приключилото дело, ако не са налице данни за проявени заинтересованост, предубеденост или пристрастност от някой от съдебните заседатели – членове на решаващия състав.</p> <p>In conclusion, the appellate court found that the lack of a capacity of teacher or educational specialist of the first instance court's lay judges in a criminal case against a defendant under 18 years of age cannot lead to the conclusion of an illegitimate court panel or serve as the only ground for re-opening a closed cases,</p>

	<p>if there is no indication of partiality or prejudice on the part of the lay judges – members of the court panel.</p> <p>Bulgaria, Burgas Appellate Court (Бургаски апелативен съд) (2019) Decision No 23 of 6 March 2019 of the Burgas Appellate Court on appellate criminal case of general nature No 3/2019 (Решение № 23 от 6.03.2019 г. на БАС по в.н.о.х.д. № 3/2019 г.), ECLI:BG:AP200:2019:20190600003.001, 6 March 2019, https://legalacts.justice.bg/Search/Details?actId=ZBPZx6yk%2BOs%3D</p>
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Thematic area	<p>ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS</p> <p>Please provide the most relevant high court decisions in relation to one of the topic ad-dressed in this Chapter..</p>
Decision date	16 July 2019
Reference details	<p>Bulgaria, Supreme Cassation Court (Върховен административен съд) (2019) Ruling No 605 of 16 July 2019 of the Supreme Cassation Court under civil case No 4811/2018, 4th civil chamber, civil department, judge rapporteur Justice Zoya Atanassova (Определение № 605 от 16.07.2019 г. на ВКС по гр.д. №4811/2018, IV г.о., ГК, докладчик съдията Зоя Атанасова), ECLI:BG:SC001:2019:20180504811.001, 16 July 2019, https://legalacts.justice.bg/Search/Details?actId=WplwFDAccQ%3D</p>
Key facts of the case (max. 500 chars)	<p>A mother of a child, divorced with the child’s father, appealed against a ‘personal contacts regime’ between the child and the father, i.e. against a previous court ruling as to when during the week/year the father can see the child, not living with him. As part of the appeal, the cassation court is asked whether the lower court, when deciding on the regime, should have taken into account that the father had a documented act of domestic violence against the mother and the child.</p>
Main reasoning/argumentation (max. 500 chars)	<p>In compliance with established case law, obliging it to put the child’s best interest above the wishes or preferences of parents, which are not binding, the court accepted that an act of domestic violence and the alienating of the child towards the other parent and his/her relatives shows insufficient educational and moral capacity on the part of the defaulting parent. However, this should be taken into account together with all other relevant facts. Thus, the lower court did discuss all relevant circumstances when establishing when the father can see the child, including the established act of domestic violence. The court ultimately took into account both parents’ very good capacity to ensure normal conditions for the development for the child, despite causing the child an internal loyalty conflict, and made a correct ruling as to when the father can see the child, so no appeal should be allowed.</p>
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>Led by the child’s best interest, a court should review all relevant circumstances when deciding when a parent can see a child not living with him/her. The lower educational and moral capacity of one parent, having committed an act of domestic violence, although a negative circumstance, is just part of what the court should review.</p>
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	<p>No change of the personal contacts regime was allowed. The cassation court’s ruling was final.</p>
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Прието е, че фактът на упражнено домашно насилие от единия родител спрямо другия в присъствието на детето сочи за недостатъчни възпитателски и морални качества за упражняване на родителските права. На такава недостатъчност сочи и обстоятелството, че единият родител отчуждава детето от другия и го настройва срещу него и близките му. Съдът съобразява тези факти и с оглед обстоятелствата по делото може да реши въпреки наличието им, да предостави упражняването на родителските права на родителя, упражнил домашно насилие или настройващ негативно детето спрямо другия. Това обаче предполага да са налице достатъчно основания за формиране на извод, че макар у този родител да е налице дефицит на</p>

	<p>възпитателски капацитет, все пак интересът на детето налага той да бъде предпочетен пред другия (било защото неговите качества са също недостатъчни, защото фактически не е в състояние да упражнява родителските права или по други подобни причини). При равни други условия, обаче, наличието на родителско отчуждение или извършено домашно насилие, предполага за упражняващ родителските права и непосредствено отглеждащ и възпитаващ детето да бъде предпочетен другият родител.</p> <p>It was accepted that the fact of a domestic violence act by one parent towards the other in the presence of the child shows insufficient educational and moral capacity for exercising parental rights. Such insufficiency is also proven by the fact that the parent alienates the child from the other parent and speaks badly of him/her and his/her relatives. The court does take account of those facts and, based on the circumstances of the case, may still give, despite those facts, the exercise of parental rights to the parent, having committed domestic violence or speaking badly of the other parent. However, this should be based on a conclusion that, despite one parent's deficits, he/she should still be preferred over the other parent (because the latter's capacity is also insufficient, he/she is practically prevented from exercising parental rights, etc.). All other circumstances equal, however, the existence of parental alienation or domestic violence should give the parental rights and main custody of the child to the non-defaulting parent.</p> <p>Bulgaria, Supreme Cassation Court (Върховен административен съд) (2019) Ruling No 605 of 16 July 2019 of the Supreme Cassation Court under civil case No 4811/2018, 4th civil chamber, civil department, judge rapporteur Justice Zoya Atanassova (Определение № 605 от 16.07.2019 г. на ВКС по гр.д. №4811/2018, IV г.о., ГК, докладчик съдията Зоя Атанасова), ECLI:BG:SC001:2019:20180504811.001, 16 July 2019, https://legalacts.justice.bg/Search/Details?actId=WplwPFDAccQ%3D</p>
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Thematic area	<p>Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>Please provide the most relevant high court decision making reference to the CRPD or employing the CRPD in their reasoning.</p>
Decision date	22 March 2019
Reference details	<p>Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 4327 of 22 March 2019 on administrative case No 10770/2016 (Решение № 4327 от 22.03.2019 г. на ВАС по адм. д. № 10770/2016 г.), 22 March 2019, http://www.sac.government.bg/court22.nsf/d6397429a99ee2afc225661e00383a86/2b7fca98532a1640c22583ac00305c57?OpenDocument</p>
<p>Key facts of the case</p> <p>(max. 500 chars)</p>	<p>The case concerns discrimination on the grounds of age and disability. Based on a complaint, submitted by the Association for Insulin Pumps (Сдружение за инсулинови помпи), the Commission for Protection against Discrimination (CPD) (Комисия за защита от дискриминация, КЗД) ruled that the Minister of Healthcare and the National Health Insurance Fund (NHIF) (Национална здравноосигурителна каса, НЗОК) had violated the anti-discrimination law by not financing the use of insulin pumps by patients in need of such treatment. In addition to discrimination on the ground of disability, the case was also qualified as discrimination on the grounds of age, because the use of insulin pumps was particularly relevant for children and adolescents, for whom the use of injections often resulted in overdosing and other related harmful consequences. The decision was reviewed and confirmed by two court instances: the Sofia City Administrative Court (SCAC) (Административен съд – София-град, АССГ) and the Supreme Administrative Court (SAC) (Върховен административен съд, ВАС).</p>

<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The court concluded that the case constituted a violation of the principle of equal treatment on the grounds of disability, which was a consequence of the failure of the Minister of Health to exercise their powers and ensure equal opportunities for all Bulgarian citizens. According to the court, the equal treatment of vulnerable social groups with other members of society and, accordingly, the failure to implement measures to balance their opportunities for participation in public life is a form of unequal treatment and discrimination. The application of measures, which are not sufficient to equalise the opportunities for participation in public life of a group of persons or an individual, puts them in a vulnerable position and is regarded as a failure of the State to fulfil its obligation to guarantee the enjoyment of fundamental human rights and constitutes a violation under the anti-discrimination legislation. The court also confirmed the conclusion of the equality body that the case constituted discrimination on the basis of disability as defined by Art. 2 of the CRPD.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The key issue clarified by the case was the interpretation of unequal treatment. The court concluded that the treatment of vulnerable groups in the same way as the other members of the society, without undertaking measures to equalise their opportunities to participate in public life was a form of unequal treatment and discrimination as was the application of measures that were not sufficient to equalise those opportunities.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The court confirmed the decision of the Commission for Protection against Discrimination (CPD) (Комисия за защита от дискриминация, КЗД), by which the equality body established the violation of the anti-discrimination law and instructed the competent authorities to undertake all necessary measures to introduce a funding scheme for covering the use of insulin pumps by all children diagnosed with diabetes, for whom such treatment was prescribed.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>С решението ѝ, на основание чл.65, т.1 от ЗЗДискр. е постановено, че министърът на здравеопазването, националната здравно осигурителна каса, надзорният съвет на НЗОК, са извършили нарушение на чл.10 и чл.11 от ЗЗДискр., изразяващо се в бездействие за осигуряване на пълно или частично заплащане на медицинско изделие "инсулинова помпа" и консумативите за нея, във връзка с лечение на нуждаещите се от такъв тип изделие пациенти. Прието е също, че тези органи са извършили дискриминация по признак "увреждане" по смисъла на чл.2 от Конвенцията на ООН за правата на хората с увреждания и чл.2, пар.2, във връзка с чл.12 от Международния пакт за икономически, социални и културни права. Освен това е прието, че тези органи са извършили дискриминация по признак "увреждане" и "възраст" спрямо децата с установена диагноза диабет тип I, спрямо които е медицински показано такова лечение. Това представлява нарушение на чл.4, ал.3 от ЗЗДискр., във връзка с чл.2 от Конвенцията на ООН и чл.2, пар.2, във връзка с чл.12 от Международния пакт.</p> <p>The decision, on the grounds of Art. 65, Item 1 of the Protection against Discrimination Act, held that the Minister of Health, the National Health Insurance Fund and the Supervisory Board of the NHIF had committed a violation of Art. 10 and 11 of the Protection against Discrimination Act, consisting of inaction to secure full or partial payment for an insulin pump medical device and its consumables for the treatment of patients in need of this type of device. It was also accepted that these authorities had committed discrimination on the basis of "disability" within the meaning of Art. 2 of the UN Convention on the Rights of Persons with Disabilities and Art. 2, Para. 2, in conjunction with Art. 12 of the International Covenant on Economic, Social and Cultural Rights. In addition, it was established that these authorities have committed discrimination on the basis of "disability" and "age" against children diagnosed with type I diabetes to whom such treatment had been medically prescribed. This constitutes a violation of Art. 4, Para. 3 of the Protection against Discrimination Act, in</p>

	<p>conjunction with Art. 2 of the UN Convention and Art. 2, Para. 2, in conjunction with Art. 12 of the International Covenant.</p> <p>Bulgaria, Supreme Administrative Court (Върховен административен съд) (2019) Decision No 4327 of 22 March 2019 on administrative case No 10770/2016 (Решение № 4327 от 22.03.2019 г. на ВАС по адм. д. № 10770/2016 г.), 22 March 2019, http://www.sac.government.bg/court22.nsf/d6397429a99ee2afc225661e00383a86/2b7fca98532a1640c22583ac00305c57?OpenDocument</p>
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